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Public Law 396--79th Congress

Chapter 281--2d Session

H. R. 3370

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NATIONAL SCHOOL LUNCH ACT. Authorizes appropriations, with no specific limitation, to be made to the Secretary for supplying agricultural commodities and other foods for the school-lunch program. Provides for apportionment among the States of not less than 75% of the funds made available for foods, and that the total of the apportionment for the Territories and possessions shall not exceed 3%. Makes \$10,000,000 of the appropriation available to the Secretary for non-food assistance. Limits administrative expenses to 3½%. Provides for State matching of funds on the basis of \$1. for \$1. during the fiscal year 1947 through 1950, \$1 for \$1.50 from 1951 through 1955, and \$1 for \$3 thereafter. Provides that lunches served by schools participating in the program shall meet minimum nutritional requirements prescribed by the Secretary. Provides that, in instances where a State maintains separate schools for minority and majority races, no funds made available pursuant to this Act shall be paid to the State unless a just and equitable distribution is made for minority races.

INDEX AND SUMMARY OF HISTORY ON H. R. 3370

January 10, 1945	S. 200 introduced by Senator Russell and referred to the Senate Committee on Agriculture. (Similar bill).
February 8, 1945	S. 503 introduced by Senator Ellender and referred to the Senate Committee on Agriculture and Forestry. (Similar bill).
March 19, 1945	H. R. 2673 introduced by Rep. Flannagan and referred to the House Committee on Agriculture. (Similar bill).
March 23, 1945	Hearings: H. R. 2673, H. R. 3143, and H. R. 3370.
May 7, 1945	S. 962 introduced by Senator Russell and referred to the Senate Committee on Agriculture and Forestry. (Companion bill).
	H. R. 3143 introduced by Rep. Flannagan and referred to the House Committee on Agriculture. (Companion bill).
June 4, 1945	H. R. 3370 introduced by Rep. Flannagan and referred to the House Committee on Agriculture.
June 5, 1945	H. R. 3370 reported by House Committee on Agriculture without amendment. House Report 684. Print of the bill as reported.
June 19, 1945	H. R. 3370 discussed in the House and passed over.
July 28, 1945	S. 962 reported by Senate Committee on Agriculture and Forestry with amendments. S. Rept. 553. Print of the bill as reported.
January 24, 1946	House Rules Committee reported House Resolution 495 for the consideration of H. R. 3370. House Report 1489.
February 19, 1946	House began debate on H. R. 3370.
	Remarks of Representatives Stevenson and Price.
February 20, 1946	House debate continued.
	Remarks of Rep. Plumley.

February 21, 1946	Debate concluded. H. R. 3370 passed with amendments. Remarks of Representatives Murray, Mansfield, Link, and Biemiller.
February 22, 1946	H. R. 3370 placed on the Senate calendar. Letter from National PTA Congress. Print of H. R. 3370 as placed on Senate calendar.
February 26, 1946	Debated in Senate and passed with amendments, with the language of S. 962, as amended, substituted therefor. Senate Conferees appointed. Remarks of Senator Capper. Print of the bill with the amendments of the Senate.
February 27, 1946	House Conferees appointed. Remarks of Senator Capper.
May 20, 1946	House received Conference Report. House Report 2080.
May 23, 1946	House agreed to Conference Report.
May 24, 1946	Senate agreed to Conference Report.
June 4, 1946	Approved. Public Law 396.

79TH CONGRESS
1ST SESSION

S. 200

IN THE SENATE OF THE UNITED STATES

JANUARY 10, 1945

Mr. RUSSELL introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To provide for Federal assistance in the maintenance, expansion, and operation of school lunch and school milk programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That it is hereby declared to be the policy of Congress, as
4 a measure of national security, to assist in providing an ade-
5 quate supply of foods for the maintenance, expansion, and
6 operation of school lunch and milk programs which will
7 safeguard the health and well-being of the Nation's children.

8 TITLE I—ASSISTANCE IN PROVIDING FOOD

9 SEC. 101. From the funds appropriated by section 32
10 of Public, Numbered 320, Seventy-fourth Congress, as

1 amended, the sum of \$65,000,000 is hereby made available
2 to the Secretary of Agriculture to enable him to carry into
3 effect the provisions of this title for the fiscal year ending
4 June 30, 1945. For each subsequent fiscal year there are
5 hereby authorized to be appropriated, out of any money in
6 the Treasury not otherwise appropriated, such sums as may
7 be necessary, not exceeding \$100,000,000 for any one fiscal
8 year, to enable the Secretary to carry out such provisions.

9 SEC. 102. The sums made available by or pursuant to
10 this title shall be apportioned by the Secretary for expendi-
11 ture in the several States on the basis of school enrollment
12 in nonprofit schools of high-school grade or under, and on
13 the basis of need: *Provided*, That if any State does not
14 participate in the program so as to require the funds so
15 apportioned to it, such funds may be reapportioned, on the
16 basis of school enrollment or of need, to such other States
17 as the Secretary may determine.

18 SEC. 103. The Secretary is hereby authorized to enter
19 into agreements with the school authorities of States to pro-
20 vide food and milk for consumption by children in schools
21 and through payments to schools, or to boards of education
22 or other authorities or agencies exercising jurisdiction over
23 schools, to provide for the purchase and distribution of food
24 and milk for such children. Insofar as practicable, the food
25 and milk purchased in accordance with the provisions of this

1 Act shall be locally grown or produced. Where such agree-
2 ments cannot be entered into with the school authorities
3 of any State, the Secretary is authorized to enter into agree-
4 ments for such purposes with the school authorities of cities,
5 or other authorities or agencies exercising jurisdiction over
6 schools, within such State.

7 SEC. 104. No agreement shall be entered into by the
8 Secretary which shall provide for the expenditure of the
9 funds made available by or pursuant to this title for any
10 purpose other than paying the cost of the agricultural com-
11 modities or food and milk products delivered to schools; and
12 none of such funds may be used or obligated to pay any of
13 the administrative or supervisory costs of school lunch or
14 milk programs. The determination by the Secretary as to
15 what kinds and forms of food and milk shall be provided,
16 and as to the extent of participation with the State or local
17 school authorities, shall be final. No agreement shall be
18 entered into which does not provide that such State or local
19 school authorities shall maintain accounts and records clearly
20 establishing the cost and method of handling of such school
21 lunch or milk programs, that such reports as the Secretary
22 may require shall be filed either monthly or quarterly, and
23 that all books and accounts of such authorities shall be
24 available for audit by representatives of the Department of
25 Agriculture. The funds made available by or pursuant to

1 this title may be used for the purchase of food and milk
2 and the distribution thereof, or to make payments or re-
3 payments for the purchase of food and milk, without regard
4 to provisions of section 3709 of the Revised Statutes, and
5 without regard to the 25 per centum limitation contained
6 in section 32, Public, Numbered 320, Seventy-fourth Con-
7 gress, as amended.

8 TITLE II—ASSISTANCE IN SECURING APPRO-
9 PRIATE SUPERVISION, SERVICES, AND
10 OTHER CRITICAL SCHOOL LUNCH NEEDS

11 SEC. 201. There is hereby authorized to be appro-
12 priated, out of any money in the Treasury not otherwise
13 appropriated, the sum of \$3,000,000 for the fiscal year end-
14 ing June 30, 1945, and for each succeeding fiscal year, to
15 the United States Office of Education for the purpose of
16 assisting State and local school authorities in establishing,
17 maintaining, expanding, and operating school lunch and
18 milk programs. The United States Commissioner of Educa-
19 tion is hereby authorized and directed to cooperate with the
20 State school authorities in establishing, maintaining, expand-
21 ing, and making more efficient the operation of such pro-
22 grams. The sums made available pursuant to this title
23 shall be used for making payments to the States, pursuant to
24 apportionment by such Commissioner on the basis of school
25 enrollment and need, for the purpose of providing and

1 training such technical and supervisory personnel as may
2 be necessary in the efficient operation of local school lunch
3 and school milk programs. The funds paid to any State for
4 any fiscal year under this title shall not exceed the amount
5 furnished by the State or local school authorities of such
6 State for the same purpose.

7 TITLE III—MISCELLANEOUS PROVISIONS

8 SEC. 301. As used in this Act—

9 (a) The term “Secretary” means the Secretary of
10 Agriculture.

11 (b) The term “State” includes the District of Columbia.

12 SEC. 302. The Secretary of Agriculture and the Com-
13 missioner of Education, respectively, shall from time to
14 time certify to the Secretary of the Treasury any amounts
15 determined by them to be payable to any State or local
16 school authorities in carrying out the provisions of this Act,
17 and the time or times when such amounts shall be paid;
18 and the Secretary of the Treasury shall pay such amounts
19 in accordance with such certification.

A BILL

To provide for Federal assistance in the maintenance, expansion, and operation of school lunch and school milk programs, and for other purposes.

By Mr. RUSSELL

JANUARY 10, 1945

Read twice and referred to the Committee on
Agriculture and Forestry

79TH CONGRESS
1ST SESSION

S. 503

IN THE SENATE OF THE UNITED STATES

FEBRUARY 8, 1945

Mr. ELLENDER introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To provide Federal assistance in the establishment, maintenance, operation, and expansion of school lunch and milk programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That it is hereby declared to be the policy of Congress, as
4 a measure of national security, to assist States in providing
5 an adequate supply of foods and other facilities for the
6 establishment, maintenance, operation, and expansion of
7 school lunch and milk programs and nutrition education and
8 for other critical school lunch needs which will safeguard
9 the health and well-being of the Nation's children and in
10 providing for the adequate administration of such programs.

1 TITLE I—ASSISTANCE IN PROVIDING FOOD

2 SEC. 101. From the funds appropriated by section 32
3 of Public, Numbered 320, Seventy-fourth Congress, as
4 amended, the sum of \$65,000,000 is hereby made available
5 to the Secretary of Agriculture to enable him to carry into
6 effect the provisions of this title for the fiscal year ending
7 June 30, 1946. For each subsequent fiscal year there are
8 hereby authorized to be used from this source, or appro-
9 priated out of any money in the Treasury not otherwise
10 appropriated, such sums as may be necessary, not exceeding
11 \$100,000,000 for any one fiscal year to enable the Secretary
12 to carry out such provisions.

13 SEC. 102. The sums made available by or pursuant to
14 this title shall be apportioned in the following manner by
15 the Secretary for each fiscal year to the several States for
16 expenditure in public and nonprofit private schools of high-
17 school grade or under:

18 (a) The number of individuals residing in each State
19 (estimated according to the latest available census figures)
20 who have attained the age of five years but have not at-
21 tained the age of eighteen years shall be multiplied by a
22 ratio obtained by dividing such number by the number of
23 individuals residing in such State (estimated according to
24 the latest available census figures) who have attained the

1 age of twenty years but have not attained the age of sixty-
2 five years.

3 (b) The allotment to such State for such year shall be
4 the amount which has the same ratio to the total amount
5 to be allotted for such year as the product obtained for such
6 State under paragraph (a) hereof has to the sum of such
7 products for all States.

8 SEC. 103. From the sums allotted to it under this title,
9 each State shall be entitled to receive an amount limited
10 by funds furnished by States or county or local school
11 systems for the same purpose in the following ratios: (1)
12 For States whose per capita income is equal to or greater
13 than the per capita income of the United States, Federal
14 payments shall be equal to the amounts furnished by the
15 States; (2) for States whose per capita income is less than
16 the per capita income of the United States, Federal pay-
17 ments shall bear the same ratio to the funds furnished by
18 the State as the per capita income of the United States
19 bears to the per capita income of the State: *Provided*,
20 That any amounts not claimed by January 1 shall be re-
21 allotted to States which have claimed their full allotment
22 on the basis of the formula provided in section 102 without
23 requirements of further contributions from the States.

24 SEC. 104. The Secretary is hereby authorized and directed

1 to enter into agreements with the respective State educa-
2 tional agencies or agents having jurisdiction over elementary
3 and secondary schools (a) for making available to local
4 school authorities funds under this title for the purchase of
5 foods or for the reimbursement of purchases so made in
6 order to provide school lunches based on standards for
7 nutritional adequacy, according to State plans as provided
8 in section 203, subsections (a) and (b): *Provided*, That
9 not less than 75 per centum of the funds available under this
10 title, or \$50,000,000, whichever is larger, shall be dis-
11 tributed to the States in the form of cash for the purchase
12 of foods or for the reimbursement of purchases so made;
13 (b) for accounting for expenditures of these funds with
14 respect to the purposes of this title in terms of required
15 reports and audits: *Provided further*, That administrative
16 expenditures incidental to the purchase and distribution of
17 food and to the accounting, reporting, and auditing of such
18 purchases shall not exceed \$500,000; and (c) for utilizing
19 food commodities found and designated by the Department
20 of Agriculture to be in surplus: *Provided further*, That sur-
21 pluses of food purchased by the Department of Agriculture
22 for direct distribution shall be made available to the schools
23 in addition to cash allotments for purchase of food for school
24 lunches and shall not be used to reduce the cash allotments:
25 *Provided further*, That such surpluses shall be delivered only

1 upon order of the responsible educational agency: *And*
2 *provided further*, That the funds made available by or
3 pursuant to this title may be used for the purchase of food
4 and the distribution thereof, or for the reimbursement of
5 purchases so made without regard to provisions of section
6 3709 of the Revised Statutes, and without regard to the 25-
7 per centum limitation contained in section 32, Public, Num-
8 bered 320, Seventy-fourth Congress, as amended.

9 TITLE II—ASSISTANCE IN SECURING APPRO-
10 PRIATE ADMINISTRATIVE AND SUPERVI-
11 SORY SERVICES AND OTHER CRITICAL
12 SCHOOL LUNCH NEEDS

13 SEC. 201. There is hereby authorized to be appro-
14 priated, out of any money in the Treasury not otherwise
15 appropriated, the sum of \$15,000,000 for the fiscal year
16 ending June 30, 1946, and for each succeeding fiscal year,
17 to the United States Office of Education for the purpose of
18 assisting State and local school authorities in establishing,
19 maintaining, operating, and expanding school lunch and milk
20 programs, and related nutrition education, in training such
21 technical and supervisory personnel, and in providing other
22 critical needs necessary for the efficient operation of school
23 lunch programs. The sums made available under this title
24 shall be allotted to the respective States on the same basis as

1 the funds made available under title I: *Provided*, That not
2 more than 15 per centum of the amount allotted to a State
3 for a fiscal year, or \$10,000, if such percentage is less than
4 \$10,000, may be paid with respect to expenditures for the
5 administrative costs of the State agency: *And provided*
6 *further*, That from the sums appropriated pursuant to the
7 authorization in this title, there shall be available to the
8 United States Office of Education for expenditure for the
9 cost of administering the provisions of this title and for pro-
10 moting adequate school lunch and milk programs and related
11 education a sum not to exceed \$200,000.

12 SEC. 202. From the sums allotted to it under this title,
13 each State shall be entitled to receive an amount limited by
14 funds furnished by State or county or local school systems
15 for the same purpose in accordance with ratios provided
16 in section 103, title I.

17 SEC. 203. (a) The State educational agency or agent
18 with jurisdiction over elementary and secondary schools shall
19 prepare a State plan for assisting schools to develop and
20 operate effective school lunch and milk programs and related
21 nutrition education, which shall (1) provide for adminis-
22 trative and supervisory services on both the State and local
23 levels necessary for the proper and efficient operation of the
24 plan as well as for securing and training the necessary
25 technical and supervisory personnel; and provide (2) that

1 in States maintaining separate schools for minority and for
2 majority races the plan shall give assurance of a just and
3 equitable apportionment of the funds within the State; and
4 provide (3) that funds made available under this plan
5 shall be apportioned equitably to schools located in urban
6 and rural areas; and provide (4) that the nutritional stand-
7 ards fixed by the State agency are not inconsistent with
8 the standards set by the Food and Nutrition Board of the
9 National Research Council for effective school lunch and
10 milk programs and efficient operation thereof; and provide
11 (5) that school lunches shall be furnished at less than cost
12 or without cost to persons unable to pay for them.

13 (b) The Commissioner shall approve any plan which
14 fulfills the requirements specified in subsection (a) of this
15 section.

16 SEC. 204. The Commissioner shall cause an audit to be
17 made of the expenditure of funds under this title by each
18 State educational agency. If the Commissioner, after notice
19 and hearing, finds that any portion of such funds is ex-
20 pended by any State in a manner contrary to the provisions
21 of this title, or shall otherwise be lost or unlawfully used,
22 an equal amount shall, after reasonable notice, be withheld
23 from the next ensuing payment to any such State unless
24 such amount is replaced by such State and expended for
25 the purposes originally intended: *Provided*, That the State

1 educational agency shall have the right to appeal within
2 thirty days from the decision of the Commissioner to with-
3 hold funds to a United States district court and such court
4 shall have jurisdiction as to both fact and law.

5 TITLE III—MISCELLANEOUS PROVISIONS

6 SEC. 301. Definitions as used in this Act are:

7 (a) The term "Secretary" means the Secretary of Agri-
8 culture, and the term "Commissioner" means the United
9 States Commissioner of Education.

10 (b) The term "State" includes the several States and
11 the District of Columbia, Alaska, Hawaii, Puerto Rico, Guam,
12 American Samoa, and the Virgin Islands.

13 (c) The term "minority race" or "minority racial
14 group" shall mean any race or racial group that constitutes
15 a minority of the population of the continental United
16 States.

17 (d) A just and equitable apportionment, allotment, or
18 distribution of the funds provided under this Act for the
19 benefit of a minority racial group in a State which main-
20 tains by law separate educational facilities for such minority
21 racial groups, means any plan of apportionment, allotment,
22 or distribution which results in the expenditure, for the
23 benefit of such minority racial group, of a proportion of said
24 funds not less than the proportion that each such minority

1 racial group in such State bears to the total population of
2 that State.

3 (e) The terms "rural" and "urban" shall be inter-
4 preted so as to conform to the definitions established by the
5 Bureau of the Census.

6 (f) The term "State educational agency" means, as
7 the State legislature may determine, (1) the chief State
8 school officer (such as the State superintendent of public
9 instruction, commissioner of education, or similar officer),
10 or (2) a board of education controlling the State depart-
11 ment of education; except that in the District of Columbia
12 it shall mean the Board of Education, and in American
13 Samoa, Guam, and the Virgin Islands, it shall mean the
14 Governor.

15 SEC. 302. The Secretary and the Commissioner, respec-
16 tively, shall from time to time certify to the Secretary of
17 the Treasury any amounts payable to any State in carrying
18 out the respective provisions of titles I and II of this Act,
19 and the time or times when such accounts shall be paid;
20 and the Secretary of the Treasury shall pay such amounts
21 in accordance with such certification.

22 SEC. 303. The Secretary and the Commissioner shall
23 each submit annually to Congress a report of the status of

1 the school lunch programs as operated under the respective
2 authorities granted them in this Act, based on reports to be
3 made to them by the State educational agencies.

A BILL

To provide Federal assistance in the establishment, maintenance, operation, and expansion of school lunch and milk programs, and for other purposes.

By Mr. ELLENDER

FEBRUARY 8, 1945

Read twice and referred to the Committee on
Agriculture and Forestry

79TH CONGRESS
1ST SESSION

H. R. 2673

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 1945

Mr. FLANNAGAN introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To provide for Federal assistance in the maintenance and operation of lunch programs in schools and child-care centers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That it is hereby declared to be the policy of Congress, as a
4 measure of national security and as a means of encouraging
5 the domestic consumption of agricultural commodities, to
6 assist in providing an adequate supply of foods for the main-
7 tenance, expansion, and operation of lunch programs which
8 will safeguard the health and well-being of the Nation's
9 children.

10 SEC. 2. There is hereby authorized to be appropriated,

1 from time to time, out of any money in the Treasury not
2 otherwise appropriated, such funds as Congress may deem
3 necessary to enable the Secretary to assist in providing food
4 for consumption at lunches by children in nonprofit schools
5 of high-school grade or under and in child-care centers
6 through (a) the purchase, exchange, processing, and dis-
7 tribution of agricultural commodities and their products;
8 (b) the making of payments in connection with the pur-
9 chase and distribution of agricultural commodities and their
10 products to such schools and centers, to school authorities,
11 or to private groups serving lunches in schools and centers;
12 or (c) by such other means as the Secretary may determine.

13 SEC. 3. The funds appropriated for the purposes hereof,
14 except funds used for administrative expenses, shall be appor-
15 tioned by the Secretary for expenditure with respect to the
16 several States on the basis of enrollment and need as deter-
17 mined by the Secretary: *Provided*, That if program partici-
18 pation in any State does not require all funds so apportioned,
19 such excess funds may be reapportioned as the Secretary
20 may determine: *Provided further*, That the amount ex-
21 pended under section 2 in any State during any fiscal year
22 shall not exceed the total amount otherwise furnished for
23 the same purpose by or on behalf of the State and local
24 school authorities and other groups, including the value of
25 donated services and supplies, as certified by the participat-

1 ing schools and child-care centers, school authorities, or pri-
2 vate groups serving lunches in such schools and centers or
3 as otherwise determined by the Secretary.

4 SEC. 4. (a) Assistance shall be confined to furnishing
5 agricultural commodities and products thereof and shall not
6 include any other material, supply, equipment, or services
7 utilized in the preparation and serving of the lunch. No dis-
8 crimination shall be made between public, private, or paro-
9 chial schools or care centers in granting assistance, but the
10 maximum of assistance to any school or care center may be
11 varied in accordance with need as determined by the Secre-
12 tary and availability of funds. No requirement as to em-
13 ployment of teaching personnel or course of instruction in
14 any school or child-care center may be made a condition for
15 receiving assistance pursuant thereto.

16 (b) The Secretary shall require that all schools and
17 child-care centers receiving assistance agree to offer lunch
18 to all children in attendance, and to serve lunch without cost
19 to those children unable to pay; to maintain accounts and
20 records clearly establishing the cost and methods of handling
21 lunch programs; to submit such reports as the Secretary may
22 require; and to make available for audit by representatives
23 of the Secretary all books and accounts pertaining to the
24 operation of the lunch program.

25 SEC. 5. In addition to the funds which are appropriated

1 pursuant hereto, the Secretary, in carrying out the purpose
2 of clause 2 of section 32 of the Act entitled "An Act to
3 amend the Agricultural Adjustment Act, and for other pur-
4 poses", approved August 24, 1935 (49 Stat. 774), as
5 amended, may use any funds made available for the pur-
6 poses of that section by providing surplus agricultural com-
7 modities and products thereof for such lunches. Determi-
8 nations by the Secretary as to what constitutes surplus agri-
9 cultural commodities and products shall be final.

10 SEC. 6. Funds appropriated for the purposes of this Act
11 may be used for, or to make payments in connection with
12 exchanging, purchasing, processing, distributing, disposing,
13 transporting, storing, and handling of agricultural commod-
14 ities and products thereof and inspection costs, commissions,
15 and other incidental costs and expenses, in the open market
16 without regard to the provisions of section 3709 of the
17 Revised Statutes. Not to exceed 4 per centum of such funds
18 may be used for administrative expenses: *Provided*, That
19 no part of such funds may be used to pay any administrative
20 or supervisory costs incurred by other than the Secretary.

21 SEC. 7. As used in this Act—

22 (a) The term "Secretary" means the Secretary of
23 Agriculture or the War Food Administrator.

24 (b) The term "State" includes the District of Columbia,
25 Puerto Rico, Hawaii, Alaska, and the Virgin Islands.

A BILL

To provide for Federal assistance in the maintenance and operation of lunch programs in schools and child-care centers, and for other purposes.

By Mr. FLANNAGAN

MARCH 19, 1945

Referred to the Committee on Agriculture

MAY 7 (legislative day, APRIL 16), 1945

A BILL

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the “National School Lunch
4 Act”.

6 SEC. 2. It is hereby declared to be the policy of Con-
7 gress, as a measure of national security, to safeguard the
8 health and well-being of the Nation's children and to en-
9 courage the domestic consumption of nutritious agricultural
10 commodities and other food, by assisting the States, through

1 grants-in-aid and other means, in providing an adequate
2 supply of foods and other facilities for the establishment,
3 maintenance, operation, and expansion of school-lunch and
4 nutrition education programs.

5 TITLE I—ASSISTANCE IN PROVIDING FOOD

6 APPROPRIATIONS AUTHORIZED

7 SEC. 101. For each fiscal year, beginning with the
8 fiscal year ending June 30, 1946, there is hereby authorized
9 to be appropriated, out of money in the Treasury not other-
10 wise appropriated, such sums as may be necessary, not
11 exceeding \$100,000,000, to enable the Secretary of Agri-
12 culture (hereinafter referred to as "the Secretary") to carry
13 out the provisions of this title. For the fiscal year ending
14 June 30, 1946, the funds made available to the Secretary
15 under the item entitled "School-lunch program", Depart-
16 ment of Agriculture Appropriation Act, 1946, are hereby
17 made immediately available for carrying out the provisions
18 of this title during such year.

19 APPORTIONMENTS TO STATES

20 SEC. 102. The Secretary shall apportion among the
21 States during each fiscal year not less than 75 per centum
22 of the funds appropriated for such year for carrying out
23 the provisions of this title, except that the total of such
24 apportionment of funds for use in Alaska, Territory of
25 Hawaii, Puerto Rico, and the Virgin Islands shall not exceed

1 \$3,000,000. Apportionment among the States shall be
2 made on the basis of two factors: (1) The number of school
3 children in the State and (2) the need for assistance in the
4 State as indicated by the relation of the per capita income
5 in the United States to the per capita income in the State.
6 The amount of the initial apportionment to any State shall
7 be determined by the following method: First, determine
8 an index for the State by multiplying factors (1) and (2);
9 second, divide this index by the sum of the indices for all
10 the States; and, finally, apply the figure thus obtained to
11 the total funds to be apportioned. For the purpose of this
12 section, the number of school children in the State shall
13 be the number of children therein between the ages of five
14 and seventeen, inclusive; such figures and per capita income
15 figures shall be the latest figures certified by the Depart-
16 ment of Commerce. For the purposes of this title, "school"
17 means any public or nonprofit private school of high-school
18 grade or under and, with respect to Puerto Rico, shall also
19 include nonprofit child-care centers certified as such by the
20 Governor of Puerto Rico. If any State cannot utilize all
21 funds so apportioned to it, or if additional funds are available
22 under this title for apportionment among the States, the
23 Secretary shall make further apportionments to the remaining
24 States in the same manner.

1 DIRECT FEDERAL EXPENDITURE

2 SEC. 103. The funds appropriated for any fiscal year
3 for carrying out the provisions of this title, less not to exceed
4 4 per centum thereof hereby made available to the Secretary
5 for his administrative expenses and less the amount appor-
6 tioned by him among the States pursuant to section 102,
7 shall be available to the Secretary during such year for
8 direct expenditure by him for agricultural commodities and
9 other foods to be distributed among the States and schools
10 participating in the school-lunch program under this title.
11 The provisions of law contained in the proviso of the Act
12 of June 28, 1937 (50 Stat. 323), facilitating operations
13 with respect to the purchase and disposition of surplus agri-
14 cultural commodities under section 32 of the Act approved
15 August 24, 1935 (49 Stat. 774), as amended, shall, to
16 the extent not inconsistent with the provisions of this title,
17 also be applicable to expenditures of funds by the Secretary
18 under this title.

19 PAYMENTS TO STATES

20 SEC. 104. (a) Funds apportioned to any State pursuant
21 to section 102 during any fiscal year shall be available for
22 payment to such State for disbursement by the State educa-
23 tional agency, in accordance with such agreements not in-
24 consistent with the provisions of this Act, as may be entered
25 into by the Secretary and such State educational agency,

1 for the purpose of assisting schools of that State during
2 such fiscal year, in supplying agricultural commodities and
3 other foods for consumption by children in the school-lunch
4 program under this title. Such payments to any State in
5 any fiscal year during the period 1946 to 1950, inclusive,
6 shall be made upon condition that each dollar thereof will
7 be matched during such year by \$1 from sources within
8 the State determined by the Secretary to have been
9 expended in connection with the school-lunch program under
10 this title. Such payments in any fiscal year during the
11 period 1951 to 1955, inclusive, shall be made upon condition
12 that each dollar thereof will be so matched by one and
13 one-half dollars; and for any fiscal year thereafter, such
14 payments shall be made upon condition that each dollar
15 will be so matched by \$3. In the case of any State
16 whose per capita income is less than the per capita in-
17 come of the United States, the matching required for any
18 fiscal year shall be decreased by the percentage which the
19 State per capita income is below the per capita income of
20 the United States. For the purpose of determining whether
21 the matching requirements of this section have been met,
22 the reasonable value of donated services, supplies, facilities,
23 and equipment as certified by the State educational agency
24 (but not the cost or value of land, of the acquisition, con-
25 struction, or alteration of buildings, of commodities donated

1 by the Secretary, or of Federal contributions made pursuant
2 to title II) may be regarded as funds from sources within
3 the State expended in connection with the school-lunch pro-
4 gram. The Secretary shall certify to the Secretary of the
5 Treasury from time to time the amounts to be paid to any
6 State under this section and the time or times such amounts
7 are to be paid; and the Secretary of the Treasury shall pay
8 to the State at the time or times fixed by the Secretary
9 the amounts so certified.

10 (b) In the event that funds from sources within the
11 State do not completely match, in accordance with the
12 requirements of this Act, the funds apportioned to the State
13 under both titles I and II, the State educational agency
14 may determine from time to time the application of funds
15 from sources within the State against the matching require-
16 ments of the respective titles, except that funds from sources
17 within the State used in connection with schools not par-
18 ticipating in the school-lunch program under title I may
19 not be used for matching funds under title I.

20 STATE DISBURSEMENT TO SCHOOLS

21 SEC. 105. Funds paid to any State during any fiscal
22 year pursuant to section 104 shall be disbursed by the State
23 educational agency, in accordance with such agreements
24 approved by the Secretary as may be entered into by such
25 State agency and the schools in the State, to those schools

1 in the State which the State educational agency, taking
2 into account need and attendance, determines are eligible to
3 participate in the school-lunch program under this title.
4 Such disbursement to any school shall be made only for the
5 purpose of reimbursing it for the cost of obtaining agricul-
6 tural commodities and other foods for consumption by chil-
7 dren in the school-lunch program under this title. Such
8 cost may include, in addition to the purchase price of agri-
9 cultural commodities and other foods, the cost of processing,
10 distributing, transporting, storing, or handling thereof but
11 not the cost of administrative, supervisory, or other personal
12 services incurred in connection with the school-lunch pro-
13 gram under this title. In no event shall such disbursement
14 to any school for any fiscal year exceed an amount deter-
15 mined by multiplying the number of lunches served in the
16 school in the school-lunch program under this title during
17 such year by the maximum Federal food-cost contribution
18 rate for the State, for the type of lunch served, as prescribed
19 by the Secretary.

20 NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

21 SEC. 106. Lunches served by schools participating in
22 the school-lunch program under this title shall meet minimum
23 nutritional requirements prescribed by the Secretary on the
24 basis of tested nutritional research. Such meals shall be
25 served without cost to children who are determined by local

1 school authorities to be unable to pay. No physical segre-
2 gation of or other discrimination against any child shall be
3 made by the school because of his inability to pay. School-
4 lunch programs under this title shall be operated on a non-
5 profit basis. Each school shall, insofar as practicable, utilize
6 in its lunch program commodities designated from time to
7 time by the Secretary as being in abundance, either nationally
8 or in the school area, or commodities donated by the Secre-
9 tary. Commodities purchased under the authority of sec-
10 tion 32 of the Act of August 24, 1935 (49 Stat. 774), as
11 amended, may be donated by the Secretary to schools for
12 utilization in the school-lunch program under this title as
13 well as to other schools carrying out nonprofit school-lunch
14 programs.

15 STATE EDUCATIONAL POLICIES PRESERVED

16 SEC. 107. In carrying out the provisions of this title,
17 neither the Secretary nor the State shall impose any re-
18 quirement with respect to instruction or teaching personnel.
19 No funds made available pursuant to this title shall be paid
20 or disbursed to any State or school if, in carrying out its
21 functions under this title, it makes any discrimination be-
22 cause of race, creed, color, or national origin of children
23 or between types of schools or, with respect to a State which
24 maintains separate schools for minority and for majority
25 races, it discriminates between such schools on this account.

1 MISCELLANEOUS PROVISIONS AND DEFINITIONS

2 SEC. 108. (a) States, State educational agencies, and
3 schools participating in the school-lunch program under
4 this title shall keep such accounts and records as may be
5 necessary to enable the Secretary to determine whether
6 the provisions of this title are being complied with. Such
7 accounts and records shall at all times be available for in-
8 spection and audit by representatives of the Secretary and
9 shall be preserved for such period of time, not in excess of
10 five years, as the Secretary determines is necessary.

11 (b) The Secretary shall incorporate, in his agreements
12 with the State educational agencies, the express require-
13 ments under this title with respect to the operation of the
14 school-lunch program under this title insofar as they may
15 be applicable and such other provisions as in his opinion are
16 reasonably necessary or appropriate to effectuate the pur-
17 poses of this title.

18 (c) For the purposes of this title, (1) "Secretary of
19 Agriculture", during the existence of the War Food Ad-
20 ministration, shall mean the War Food Administrator; (2)
21 "State" includes the District of Columbia, Territory of Ha-
22 waii, Puerto Rico, Alaska, and the Virgin Islands; and
23 (3) "State educational agency" means, as the State legis-
24 lature may determine, (a) the chief State school officer

(such as the State superintendent of public instruction, commissioner of education, or similar officer), or (b) a board of education controlling the State department of education; except that in the District of Columbia it shall mean the Board of Education, and except that for the period ending June 30, 1947, "State educational agency" may mean any agency or agencies within the State designated by the Governor to carry out the functions herein required of a State educational agency.

TITLE II—ASSISTANCE IN PROVIDING NUTRITION EDUCATION AND SCHOOL-LUNCH FACILITIES

APPROPRIATIONS AUTHORIZED

SEC. 201. For each fiscal year, beginning with the fiscal year ending June 30, 1946, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary, not exceeding \$15,000,000, to enable the United States Commissioner of Education (hereinafter referred to as the "Commissioner"), under the supervision and direction of the Federal Security Administrator, to carry out the provisions of this title.

APPORTIONMENT AND PAYMENT TO STATES

SEC. 202. (a) The Commissioner shall apportion among the States during each fiscal year the funds appropriated

1 for such year for carrying out the provisions of this title,
2 less not to exceed \$175,000 thereof hereby made available
3 to enable the Commissioner to carry out his functions under
4 this title. Such apportionment shall be made in accordance
5 with the provisions of section 102 governing the initial ap-
6 portionment of funds to the States under title I, except that
7 the apportionment to any State under this title shall not
8 be less than \$10,000, and except that the apportionment
9 of funds for use in Alaska, Territory of Hawaii, Puerto
10 Rico, and the Virgin Islands shall not exceed \$450,000.

11 (b) From the funds apportioned to it under subsection

12 (a) for a fiscal year, each State having a plan approved
13 under this title shall be entitled to be paid an amount,
14 limited as provided in subsection (c), which shall be used
15 by the State educational agency, either directly or through
16 grants to schools and school systems, to establish, maintain,
17 operate, and expand school-lunch programs, to provide
18 related nutrition education, and to provide and train technical
19 and supervisory personnel and to provide equipment and
20 facilities for such programs; except that such funds may not
21 be used for the acquisition, construction, or alteration of
22 buildings or for the purchase of land or food.

23 (c) Funds apportioned to a State pursuant to sub-
24 section (a) during any fiscal year shall be available for pay-
25 ment to the State only upon condition that such funds will

1 be matched during such year, in the proportion specified in
2 section 104 for such State for such year, by expenditures
3 from sources within the State which are either expenditures
4 specified in section 104 (a) or expenditures for the purposes
5 for which funds paid to the State under this title may be
6 used; excluding expenditures which the State educational
7 agency has applied against the matching requirements of
8 section 104.

9 (d) The amount to which each State is entitled under
10 subsection (b) for each quarter, beginning with the quarter
11 commencing July 1, 1945, shall be computed and paid in
12 the following manner:

13 The Commissioner shall, prior to the beginning of each
14 quarter, estimate the amount to be paid to the State for
15 such quarter under the provisions of subsection (b). He
16 shall then certify to the Secretary of the Treasury the amount
17 so estimated, reduced or increased as the case may be,
18 by any sum by which he finds that his estimate for any prior
19 quarter was greater or less than the amount which the
20 State was entitled to be paid for such quarter. Upon re-
21 ceipt of such certification the Secretary of the Treasury
22 shall, prior to audit or settlement by the General Account-
23 ing Office, pay in accordance with such certification from
24 the funds apportioned to such State under subsection (a).

STATE PLANS

SEC. 203. (a) In order to be approved a State plan for the administration of school-lunch programs* must—

(1) provide that the plan shall be administered, or that its administration shall be supervised, by the State educational agency;

(2) provide that funds paid to the State under this title will be used solely for carrying out the purposes of section 202 (b) and that the amount of such funds spent during any fiscal year for administration and supervision by the State educational agency shall not exceed 15 per centum of the funds apportioned to such State for such year under this title;

(3) provide that the distribution to schools of funds paid to the State under this title, and equipment purchased with such funds, shall be only to public schools and school systems of high-school grade or under (including nonprofit private schools of high-school grade or under which receive public funds from the State or any school system thereof for payment of teachers' salaries), which undertake to furnish school lunches under agreements pursuant to title I or which, in the case of schools which do not have such agreements, satisfy the State educational agency that they will furnish school lunches

1 on a nonprofit basis and in accordance with standards
2 determined by the State educational agency to be con-
3 sistent with standards, for nutritional adequacy of school-
4 lunch programs, established by the United States De-
5 partment of Agriculture;

6 (4) provide that any school or school system receiv-
7 ing funds under the plan shall serve meals without cost
8 to children who are determined by local school authorities
9 to be unable to pay, and shall make no physical segrega-
10 tion or other discrimination against any child because
11 of his inability to pay;

12 (5) contain provisions, if the State maintains sep-
13 arate schools for minority and for majority races, neces-
14 sary to assure a just and equitable distribution within
15 the State, for the benefit of such minority races, of funds
16 paid to it under this title;

17 (6) provide that the State educational agency will
18 make such reports, in such form and containing such
19 information, as the Commissioner may from time to
20 time require.

21 (b) The Commissioner shall approve any State plan
22 which he determines complies with the provisions of sub-
23 section (a).

24 OPERATION OF STATE PLANS

25 SEC. 204. Whenever the Commissioner, after reason-

1 able notice and opportunity for hearing to the State educa-
2 tional agency, finds that with respect to money paid to the
3 State under this title there is a failure to comply sub-
4 stantially with any provision required by section 203 (a)
5 to be included in the plan, the Commissioner shall notify
6 such State agency that further payments will not be made
7 to the State until he is satisfied that there is no longer any
8 such failure to comply. Until he is so satisfied the Com-
9 missioner shall make no further certification for payment
10 to such State. Within thirty days from the decision of the
11 Commissioner to withhold funds under this section the State
12 educational agency shall have the right to appeal there-
13 from to a United States district court having jurisdiction
14 over cases arising in such State, or in a part of such State,
15 and such court shall have jurisdiction as to both fact and
16 law.

17 ADMINISTRATION

18 SEC. 205. In carrying out his functions under this title,
19 the Commissioner shall take all necessary measures to fa-
20 cilitate the promotion of adequate school-lunch programs
21 and related nutrition education by States.

22 DEFINITIONS

23 SEC. 206. As used in this title:

24 (a) The term "State" includes the District of Columbia,

1 Territory of Hawaii, Puerto Rico, Alaska, and the Virgin
2 Islands;

3 (b) The term "State educational agency" means, as
4 the State legislature may determine, (1) the chief State
5 school officer (such as the State superintendent of public
6 instruction, commissioner of education, or similar officer),
7 or (2) a board of education controlling the State department
8 of education; except that in the District of Columbia it shall
9 mean the Board of Education;

10 (c) The term "minority race" means any race or
11 racial group that constitutes a minority of the population
12 of the continental United States;

13 (d) A just and equitable distribution of the funds pro-
14 vided under this title for the benefit of a minority race in
15 a State which maintains by law separate educational facili-
16 ties for such minority race, means any plan of distribution
17 which results in the expenditure, for the benefit of such
18 minority race, of a proportion of said funds not less than
19 the proportion that each such minority race in such State
20 bears to the total population of that State.

A BILL

To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

By Mr. RUSSELL and Mr. ELLENDER

MAY 7 (legislative day, APRIL 16), 1945

Read twice and referred to the Committee on
Agriculture and Forestry

79TH CONGRESS
1ST SESSION

H. R. 3143

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 1945

Mr. FLANNAGAN introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "National School Lunch
4 Act".

5 DECLARATION OF POLICY

6 SEC. 2. It is hereby declared to be the policy of Con-
7 gress, as a measure of national security, to safeguard the
8 health and well-being of the Nation's children and to en-
9 courage the domestic consumption of nutritious agricultural
10 commodities and other food, by assisting the States, through

1 grants-in-aid and other means, in providing an adequate
2 supply of foods and other facilities for the establishment,
3 maintenance, operation, and expansion of school-lunch and
4 nutrition-education programs.

5 TITLE I—ASSISTANCE IN PROVIDING FOOD

6 APPROPRIATIONS AUTHORIZED

7 SEC. 101. For each fiscal year, beginning with the
8 fiscal year ending June 30, 1946, there is hereby authorized
9 to be appropriated, out of money in the Treasury not other-
10 wise appropriated, such sums as may be necessary, not ex-
11 ceeding \$100,000,000, to enable the Secretary of Agricul-
12 ture (hereinafter referred to as the "Secretary") to carry
13 out the provisions of this title. For the fiscal year ending
14 June 30, 1946, the funds made available to the Secretary
15 under the item entitled "School-lunch program", Depart-
16 ment of Agriculture Appropriation Act, 1946, are hereby
17 made immediately available for carrying out the provisions
18 of this title during such year.

19 APPORTIONMENTS TO STATES

20 SEC. 102. The Secretary shall apportion among the States
21 during each fiscal year not less than 75 per centum of the
22 funds appropriated for such year for carrying out the provi-
23 sions of this title, except that the total of such apportion-
24 ment of funds for use in Alaska, Territory of Hawaii, Puerto
25 Rico, and the Virgin Islands shall not exceed \$3,000,000.

1 Apportionment among the States shall be made on the basis
2 of two factors: (1) The number of school children in the
3 State and (2) the need for assistance in the State as indi-
4 cated by the relation of the per capita income in the United
5 States to the per capita income in the State. The amount
6 of the initial apportionment to any State shall be deter-
7 mined by the following method: First, determine an index
8 for the State by multiplying factors (1) and (2); second,
9 divide this index by the sum of the indices for all the States;
10 and, finally, apply the figure thus obtained to the total funds
11 to be apportioned. For the purpose of this section, the
12 number of school children in the State shall be the number
13 of children therein between the ages of five and seventeen,
14 inclusive; such figures and per capita income figures shall
15 be the latest figures certified by the Department of Com-
16 merce. For the purposes of this title, "school" means any
17 public or nonprofit private school of high-school grade or
18 under and, with respect to Puerto Rico, shall also include
19 nonprofit child-care centers certified as such by the Governor
20 of Puerto Rico. If any State cannot utilize all funds so
21 apportioned to it, or if additional funds are available under
22 this title for apportionment among the States, the Secretary
23 shall make further apportionments to the remaining States
24 in the same manner.

1 DIRECT FEDERAL EXPENDITURE

2 SEC. 103. The funds appropriated for any fiscal year
3 for carrying out the provisions of this title, less not to
4 exceed 4 per centum thereof hereby made available to the
5 Secretary for his administrative expenses and less the
6 amount apportioned by him among the States pursuant to
7 section 102, shall be available to the Secretary during such
8 year for direct expenditure by him for agricultural commodi-
9 ties and other foods to be distributed among the States and
10 schools participating in the school-lunch program under this
11 title. The provisions of law contained in the proviso of the
12 Act of June 28, 1937 (50 Stat. 323), facilitating opera-
13 tions with respect to the purchase and disposition of surplus
14 agricultural commodities under section 32 of the Act ap-
15 proved August 24, 1935 (49 Stat. 774), as amended,
16 shall, to the extent not inconsistent with the provisions of
17 this title, also be applicable to expenditures of funds by the
18 Secretary under this title.

19 PAYMENTS TO STATES

20 SEC. 104. (a) Funds apportioned to any State pur-
21 suant to section 102 during any fiscal year shall be avail-
22 able for payment to such State for disbursement by the
23 State educational agency, in accordance with such agree-
24 ments, not inconsistent with the provisions of this Act, as
25 may be entered into by the Secretary and such State educa-

1 tional agency, for the purpose of assisting schools of that
2 State during such fiscal year, in supplying agricultural com-
3 modities and other foods for consumption by children in
4 the school-lunch program under this title. Such payments
5 to any State in any fiscal year during the period 1946 to
6 1950, inclusive, shall be made upon condition that each
7 dollar thereof will be matched during such year by one
8 dollar from sources within the State determined by the Sec-
9 retary to have been expended in connection with the school-
10 lunch program under this title. Such payments in any fiscal
11 year during the period 1951 to 1955, inclusive, shall be
12 made upon condition that each dollar thereof will be so
13 matched by one and one-half dollars; and for any fiscal
14 year thereafter, such payments shall be made upon condi-
15 tion that each dollar will be so matched by three dollars.
16 In the case of any State whose per capita income is less
17 than the per capita income of the United States, the match-
18 ing required for any fiscal year shall be decreased by the
19 percentage which the State per capita income is below the
20 per capita income of the United States. For the purpose
21 of determining whether the matching requirements of this
22 section have been met, the reasonable value of donated
23 services, supplies, facilities, and equipment as certified by
24 the State educational agency (but not the cost or value of
25 land, of the acquisition, construction, or alteration of build-

1 ings, of commodities donated by the Secretary, or of Fed-
2 eral contributions made pursuant to title II) may be regarded
3 as funds from sources within the State expended in con-
4 nection with the school-lunch program. The Secretary shall
5 certify to the Secretary of the Treasury from time to time
6 the amounts to be paid to any State under this section and
7 the time or times such amounts are to be paid; and the
8 Secretary of the Treasury shall pay to the State at the
9 time or times fixed by the Secretary the amounts so
10 certified.

11 (b) In the event that funds from sources within the
12 State do not completely match, in accordance with the
13 requirements of this Act, the funds apportioned to the State
14 under both titles I and II, the State educational agency may
15 determine from time to time the application of funds from
16 sources within the State against the matching requirements
17 of the respective titles, except that funds from sources within
18 the State used in connection with schools not participating
19 in the school-lunch program under title I may not be used
20 for matching funds under title I.

21 STATE DISBURSEMENT TO SCHOOLS

22 SEC. 105. Funds paid to any State during any fiscal
23 year pursuant to section 104 shall be disbursed by the State
24 educational agency, in accordance with such agreements
25 approved by the Secretary as may be entered into by such

1 State agency and the schools in the State, to those schools
2 in the State which the State educational agency, taking into
3 account need and attendance, determines are eligible to
4 participate in the school-lunch program under this title.
5 Such disbursement to any school shall be made only for
6 the purpose of reimbursing it for the cost of obtaining agri-
7 cultural commodities and other foods for consumption by
8 children in the school-lunch program under this title. Such
9 cost may include, in addition to the purchase price of agri-
10 cultural commodities and other foods, the cost of processing,
11 distributing, transporting, storing, or handling thereof but
12 not the cost of administrative, supervisory, or other personal
13 services incurred in connection with the school-lunch pro-
14 gram under this title. In no event shall such disbursement
15 to any school for any fiscal year exceed an amount deter-
16 mined by multiplying the number of lunches served in the
17 school in the school-lunch program under this title during
18 such year by the maximum Federal food cost contribution
19 rate for the State, for the type of lunch served, as prescribed
20 by the Secretary.

21 NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

22 SEC. 106. Lunches served by schools participating in
23 the school-lunch program under this title shall meet mini-
24 mum nutritional requirements prescribed by the Secretary
25 on the basis of tested nutritional research. Such meals shall

1 be served without cost to children who are determined by
2 local school authorities to be unable to pay. No physical
3 segregation of or other discrimination against any child shall
4 be made by the school because of his inability to pay. School-
5 lunch programs under this title shall be operated on a non-
6 profit basis. Each school shall, insofar as practicable, utilize
7 in its lunch program commodities designated from time to
8 time by the Secretary as being in abundance, either nationally
9 or in the school area, or commodities donated by the Secre-
10 tary. Commodities purchased under the authority of sec-
11 tion 32 of the Act of August 24, 1935 (49 Stat. 774), as
12 amended, may be donated by the Secretary to schools for
13 utilization in the school-lunch program under this title as
14 well as to other schools carrying out nonprofit school-lunch
15 programs.

16 STATE EDUCATIONAL POLICIES PRESERVED

17 SEC. 107. In carrying out the provisions of this title,
18 neither the Secretary nor the State shall impose any re-
19 quirement with respect to instruction or teaching personnel.
20 No funds made available pursuant to this title shall be paid
21 or disbursed to any State or school if, in carrying out its
22 functions under this title, it makes any discrimination be-
23 cause of race, creed, color, or national origin of children
24 or between types of schools or, with respect to a State

1 which maintains separate schools for minority and for majority
2 races, it discriminates between such schools on this account.

3 MISCELLANEOUS PROVISIONS AND DEFINITIONS

4 SEC. 108. (a) States, State educational agencies, and
5 schools participating in the school-lunch program under this
6 title shall keep such accounts and records as may be neces-
7 sary to enable the Secretary to determine whether the pro-
8 visions of this title are being complied with. Such accounts
9 and records shall at all times be available for inspection
10 and audit by representatives of the Secretary and shall be
11 preserved for such period of time, not in excess of five years,
12 as the Secretary determines is necessary.

13 (b) The Secretary shall incorporate, in his agreements
14 with the State educational agencies, the express require-
15 ments under this title with respect to the operation of the
16 school-lunch program under this title insofar as they may be
17 applicable and such other provisions as in his opinion are
18 reasonably necessary or appropriate to effectuate the pur-
19 poses of this title.

20 (c) For the purposes of this title, (1) "Secretary of
21 Agriculture", during the existence of the War Food Ad-
22 ministration, shall mean the War Food Administrator; (2)
23 "State" includes the District of Columbia, Territory of
24 Hawaii, Puerto Rico, Alaska, and the Virgin Islands; and

1 (3) "State educational agency" means, as the State legis-
2 lature may determine, (a) the chief State school officer
3 (such as the State superintendent of public instruction, com-
4 missioner of education, or similar officer), or (b) a board
5 of education controlling the State department of education;
6 except that in the District of Columbia it shall mean the
7 Board of Education, and except that for the period ending
8 June 30, 1947, "State educational agency" may mean any
9 agency or agencies within the State designated by the gov-
10 ernor to carry out the functions herein required of a State
11 educational agency. .

12 TITLE II—ASSISTANCE IN PROVIDING NU-
13 TRITION EDUCATION AND SCHOOL-LUNCH
14 FACILITIES

15 APPROPRIATIONS AUTHORIZED

16 SEC. 201. For each fiscal year, beginning with the fiscal
17 year ending June 30, 1946, there is hereby authorized to
18 be appropriated, out of any money in the Treasury not
19 otherwise appropriated, such sums as may be necessary,
20 not exceeding \$15,000,000, to enable the United States
21 Commissioner of Education (hereinafter referred to as the
22 "Commissioner"), under the supervision and direction of
23 the Federal Security Administrator, to carry out the pro-
24 visions of this title.

APPORTIONMENT AND PAYMENT TO STATES

SEC. 202. (a) The Commissioner shall apportion among the States during each fiscal year the funds appropriated for such year for carrying out the provisions of this title, less not to exceed \$175,000 thereof hereby made available to enable the Commissioner to carry out his functions under this title. Such apportionment shall be made in accordance with the provisions of section 102 governing the initial apportionment of funds to the States under title I, except that the apportionment to any State under this title shall not be less than \$10,000, and except that the apportionment of funds for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands shall not exceed \$450,000.

(b) From the funds apportioned to it under subsection (a) for a fiscal year, each State having a plan approved under this title shall be entitled to be paid an amount, limited as provided in subsection (c), which shall be used by the State educational agency, either directly or through grants to schools and school systems, to establish, maintain, operate, and expand school-lunch programs, to provide related nutrition education, and to provide and train technical and supervisory personnel and to provide equipment and facilities for such programs; except that such funds may not be used for the acquisition, construction, or alteration of buildings or for the purchase of land or food.

1 (c) Funds apportioned to a State pursuant to subsec-
2 tion (a) during any fiscal year shall be available for pay-
3 ment to the State only upon condition that such funds will
4 be matched during such year, in the proportion specified in
5 section 104 for such State for such year, by expenditures
6 from sources within the State which are either expenditures
7 specified in section 104 (a) or expenditures for the pur-
8 poses for which funds paid to the State under this title may
9 be used; excluding expenditures which the State educational
10 agency has applied against the matching requirements of
11 section 104.

12 (d) The amount to which each State is entitled under
13 subsection (b) for each quarter, beginning with the quarter
14 commencing July 1, 1945, shall be computed and paid in
15 the following manner:

16 The Commissioner shall, prior to the beginning of each
17 quarter, estimate the amount to be paid to the State for
18 such quarter under the provisions of subsection (b). He
19 shall then certify to the Secretary of the Treasury the amount
20 so estimated, reduced or increased as the case may be, by
21 any sum by which he finds that his estimate for any prior
22 quarter was greater or less than the amount which the State
23 was entitled to be paid for such quarter. Upon receipt of
24 such certification the Secretary of the Treasury shall, prior
25 to audit or settlement by the General Accounting Office, pay

1 in accordance with such certification from the funds appor-
2 tioned to such State under subsection (a).

3 STATE PLANS

4 SEC. 203. In order to be approved a State plan for the
5 administration of school-lunch programs must—

6 (1) provide that the plan shall be administered, or
7 that its administration shall be supervised, by the State
8 educational agency;

9 (2) provide that funds paid to the State under this
10 title will be used solely for carrying out the purposes of
11 section 202 (b) and that the amount of such funds spent
12 during any fiscal year for administration and supervision
13 by the State educational agency shall not exceed 15 per
14 centum of the funds apportioned to such State for such
15 year under this title;

16 (3) provide that the distribution to schools of funds
17 paid to the State under this title, and equipment pur-
18 chased with such funds, shall be only to public schools
19 and school systems of high-school grade or under (includ-
20 ing nonprofit private schools of high-school grade or under
21 which receive public funds from the State or any school
22 system thereof for payment of teachers' salaries), which
23 undertake to furnish school lunches under agreements
24 pursuant to title I or which, in the case of schools which
25 do not have such agreements, satisfy the State educa-

1 tional agency that they will furnish school lunches on a
2 nonprofit basis and in accordance with standards deter-
3 mined by the State educational agency to be consistent
4 with standards, for nutritional adequacy of school-lunch
5 programs, established by the United States Department
6 of Agriculture;

7 (4) provide that any school or school system re-
8 ceiving funds under the plan shall serve meals without
9 cost to children who are determined by local school au-
10 thorities to be unable to pay, and shall make no physical
11 segregation or other discrimination against any child
12 because of his inability to pay;

13 (5) contain provisions, if the State maintains sep-
14 arate schools for minority and for majority races, neces-
15 sary to assure a just and equitable distribution within
16 the State, for the benefit of such minority races, of funds
17 paid to it under this title;

18 (6) provide that the State educational agency will
19 make such reports, in such form and containing such
20 information, as the Commissioner may from time to time
21 require.

22 (b) The Commissioner shall approve any State plan
23 which he determines complies with the provisions of subsec-
24 tion (a).

OPERATION OF STATE PLANS

1
2 SEC. 204. Whenever the Commissioner, after reasonable
3 notice and opportunity for hearing to the State educational
4 agency, finds that with respect to money paid to the State
5 under this title there is a failure to comply substantially
6 with any provision required by section 203 (a) to be
7 included in the plan, the Commissioner shall notify such
8 State agency that further payments will not be made to
9 the State until he is satisfied that there is no longer any
10 such failure to comply. Until he is so satisfied the Com-
11 missioner shall make no further certification for payment
12 to such State. Within thirty days from the decision of the
13 Commissioner to withhold funds under this section the State
14 educational agency shall have the right to appeal therefrom
15 to a United States district court having jurisdiction over
16 cases arising in such State, or in a part of such State, and
17 such court shall have jurisdiction as to both fact and law.

ADMINISTRATION

18
19 SEC. 205. In carrying out his functions under this title,
20 the Commissioner shall take all necessary measures to facili-
21 tate the promotion of adequate school-lunch programs and
22 related nutrition education by States.

DEFINITIONS

23
24 SEC. 206. As used in this title—

1 (a) The term "State" includes the District of Colum-
2 bia, Territory of Hawaii, Puerto Rico, Alaska, and the
3 Virgin Islands;

4 (b) The term "State educational agency" means, as
5 the State legislature may determine, (1) the chief State
6 school officer (such as the State superintendent of public
7 instruction, commissioner of education, or similar officer), or
8 (2) a board of education controlling the State department of
9 education; except that in the District of Columbia it shall
10 mean the Board of Education;

11 (c) The term "minority race" means any race or racial
12 group that constitutes a minority of the population of the
13 continental United States;

14 (d) A just and equitable distribution of the funds pro-
15 vided under this title for the benefit of a minority race in a
16 State which maintains by law separate educational facilities
17 for such minority race, means any plan of distribution
18 which results in the expenditure, for the benefit of such
19 minority race, of a proportion of said funds not less than
20 the proportion that each such minority race in such State
21 bears to the total population of that State.

A BILL

To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

By Mr. FLANNAGAN

MAY 7, 1945

Referred to the Committee on Agriculture

6 SEC. 2. It is hereby declared to be the policy of Con-
7 gress, as a measure of national security, to safeguard the
8 health and well-being of the Nation's children and to en-
9 courage the domestic consumption of nutritious agricultural
10 commodities and other food, by assisting the States, through

1 grants-in-aid and other means, in providing an adequate
2 supply of foods and other facilities for the establishment,
3 maintenance, operation, and expansion of school-lunch and
4 nutrition-education programs.

5 TITLE I—ASSISTANCE IN PROVIDING FOOD

6 APPROPRIATIONS AUTHORIZED

7 SEC. 101. For each fiscal year, beginning with the
8 fiscal year ending June 30, 1946, there is hereby authorized
9 to be appropriated, out of money in the Treasury not other-
10 wise appropriated, such sums as may be necessary, not ex-
11 ceeding \$50,000,000, to enable the Secretary of Agricul-
12 ture (hereinafter referred to as the "Secretary") to carry
13 out the provisions of this title. For the fiscal year ending
14 June 30, 1946, the funds made available to the Secretary
15 under the item entitled "School-lunch program", Depart-
16 ment of Agriculture Appropriation Act, 1946, are hereby
17 made immediately available for carrying out the provisions
18 of this title during such year.

19 APPORTIONMENTS TO STATES

20 SEC. 102. The Secretary shall apportion among the States
21 during each fiscal year not less than 75 per centum of the
22 funds appropriated for such year for carrying out the provi-
23 sions of this title: *Provided*, That of the funds available to
24 the Secretary for the purposes of this title not in excess of
25 2 per centum thereof shall be available to the Secretary

1 for use directly in nonprofit child care centers: *Provided*
2 *further*, That of the funds made available by this title not
3 in excess of \$1,500,000 can be used in Alaska, Territory of
4 Hawaii, Puerto Rico, and the Virgin Islands. Apportion-
5 ment among the States shall be made on the basis of two
6 factors: (1) The number of children in the State between the
7 ages of five and seventeen, inclusive, and (2) the need for
8 assistance in the State as indicated by the relation of the
9 per capita income in the United States to the per capita
10 income in the State. The amount of the initial appor-
11 tionment to any State shall be determined by the fol-
12 lowing method: First, determine an index for the State
13 by multiplying factors (1) and (2); second, divide this
14 index by the sum of the indices for all the States; and,
15 finally, apply the figure thus obtained to the total funds
16 to be apportioned. For the purpose of this section, the
17 number of children in the State and per capita income
18 figures shall be the latest figures certified by the Department
19 of Commerce. For the purposes of this title, "school" means
20 any public or nonprofit private school of high-school grade or
21 under. If any State cannot utilize all funds so apportioned
22 to it, or if additional funds are available under this title
23 for apportionment among the States, the Secretary shall
24 make further apportionments to the remaining States in
25 the same manner.

1 DIRECT FEDERAL EXPENDITURE

2 SEC. 103. The funds appropriated for any fiscal year
3 for carrying out the provisions of this title, less such amounts
4 as the Congress makes available to the Secretary for his
5 administrative expenses (but not in excess of 3 per centum
6 of the funds appropriated for the purposes of this title) and
7 less the amount apportioned by him among the States pursuant
8 to section 102, shall be available to the Secretary during such
9 year for direct expenditure by him for agricultural commodi-
10 ties and other foods to be distributed among the States and
11 schools participating in the school-lunch program under this
12 title. The provisions of law contained in the proviso of the
13 Act of June 28, 1937 (50 Stat. 323), facilitating opera-
14 tions with respect to the purchase and disposition of surplus
15 agricultural commodities under section 32 of the Act ap-
16 proved August 24, 1935 (49 Stat. 774), as amended,
17 shall, to the extent not inconsistent with the provisions of
18 this title, also be applicable to expenditures of funds by the
19 Secretary under this title.

20 PAYMENTS TO STATES

21 SEC. 104. (a) Funds apportioned to any State pur-
22 suant to section 102 during any fiscal year shall be avail-
23 able for payment to such State for disbursement by the
24 State educational agency, in accordance with agreements
25 entered into by the Secretary and such State educational

1 agency, as authorized by the provisions of this title, for the
2 purpose of assisting schools of that State during such fiscal
3 year, in supplying agricultural commodities and other foods
4 for consumption by children in the school-lunch program
5 under this title. Such payments to any State during the
6 fiscal years 1946 and 1947 shall be made upon condition
7 that each dollar thereof will be matched during each such
8 year by one dollar from sources within the State determined
9 by the Secretary to have been expended in connection with
10 the school-lunch program under this title. Such payments
11 during the fiscal year 1948 shall be made upon condition
12 that each dollar thereof will be so matched by two dollars.
13 Such payments during the fiscal years 1949 and 1950 shall
14 be made upon condition that each dollar thereof will be
15 so matched by three dollars; and for any fiscal year there-
16 after, such payments shall be made upon condition that
17 each dollar will be so matched by four dollars. In
18 the case of any State whose per capita income is less
19 than the per capita income of the United States, the match-
20 ing required for any fiscal year shall be decreased by the
21 percentage which the State per capita income is below the
22 per capita income of the United States. For the purpose
23 of determining whether the matching requirements of this
24 section and section 108 (d), respectively, have been met, the
25 reasonable value of donated services, supplies, facilities, and

1 equipment as certified, respectively, by the State educational
2 agency and, in the case of schools receiving funds pursuant
3 to section 108 (d) , by such schools (but not the cost or value
4 of land, of the acquisition, construction, or alteration of build-
5 ings, of commodities donated by the Secretary, or of Fed-
6 eral contributions made pursuant to title II) may be regarded
7 as funds from sources within the State expended in con-
8 nection with the school-lunch program. The Secretary shall
9 certify to the Secretary of the Treasury from time to time
10 the amounts to be paid to any State under this section and
11 the time or times such amounts are to be paid; and the
12 Secretary of the Treasury shall pay to the State at the
13 time or times fixed by the Secretary the amounts so
14 certified.

15 (b) In the event that the total of the funds from
16 sources within the State which may be considered as match-
17 ing funds under this section or section 202 (c) do not
18 completely match, in accordance with the requirements of
19 such sections, the funds apportioned to the State under
20 both titles I and II (and not withheld under section 108
21 (d)), the State educational agency may determine from
22 time to time the application of such funds from sources
23 within the State against the matching requirements of this
24 section and section 202 (c) , respectively, except that funds
25 from sources within the State used in connection with schools

1 not participating in the school-lunch program under title I
2 may not be used for matching funds under title I.

3 STATE DISBURSEMENT TO SCHOOLS

4 SEC. 105. Funds paid to any State during any fiscal
5 year pursuant to section 104 shall be disbursed by the State
6 educational agency, under such agreements made in accord-
7 ance with the provisions of this title and approved by
8 the Secretary as may be entered into by such State agency
9 and the schools in the State, to those schools in the
10 State which the State educational agency, taking into
11 account need and attendance, determines are eligible to
12 participate in the school-lunch program under this title.
13 Such disbursement to any school shall be made only for
14 the purpose of reimbursing it for the cost of obtaining agri-
15 cultural commodities and other foods for consumption by
16 children in the school-lunch program under this title. Such
17 cost may include, in addition to the purchase price of agri-
18 cultural commodities and other foods, the cost of processing,
19 distributing, transporting, storing, or handling thereof but
20 not the cost of administrative, supervisory, or other personal
21 services incurred in connection with the school-lunch pro-
22 gram under this title. In no event shall such disbursement
23 to any school for any fiscal year exceed an amount deter-
24 mined by multiplying the number of lunches served in the
25 school in the school-lunch program under this title during

1 such year by the maximum Federal food cost contribution
2 rate for the State, for the type of lunch served, as prescribed
3 by the Secretary.

4 NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

5 SEC. 106. Lunches served by schools participating in
6 the school-lunch program under this title shall meet mini-
7 mum nutritional requirements prescribed by the Secretary
8 on the basis of tested nutritional research. Such meals shall
9 be served without cost, or at a reduced cost, to children
10 who are determined by local school authorities to be un-
11 able to pay the full cost of the lunch. No physical
12 segregation of or other discrimination against any child shall
13 be made by the school because of his inability to pay. School-
14 lunch programs under this title shall be operated on a non-
15 profit basis. Each school shall, insofar as practicable, utilize
16 in its lunch program commodities designated from time to
17 time by the Secretary as being in abundance, either nationally
18 or in the school area, or commodities donated by the Secre-
19 tary. Commodities purchased under the authority of sec-
20 tion 32 of the Act of August 24, 1935 (49 Stat. 774), as
21 amended, may be donated by the Secretary to schools, in
22 accordance with the needs as determined by local school
23 authorities for utilization in the school-lunch program under
24 this title as well as to other schools and institutions now
25 authorized to receive such commodities.

STATE EDUCATIONAL POLICIES PRESERVED

SEC. 107. In carrying out the provisions of this title, neither the Secretary nor the State shall impose any requirement with respect to administration, teaching personnel, curriculum, instruction, methods of instruction, or materials of instruction of any school.

MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 108. (a) States, State educational agencies, and schools participating in the school-lunch program under this title shall keep such accounts and records as may be necessary to enable the Secretary to determine whether the provisions of this title are being complied with. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of five years, as the Secretary determines is necessary.

(b) The Secretary shall incorporate, in his agreements with the State educational agencies, the express requirements under this title with respect to the operation of the school-lunch program under this title insofar as they may be applicable and such other provisions as in his opinion are reasonably necessary or appropriate to effectuate the purposes of this title.

(c) For the purposes of this title, (1) "Secretary of
H. R. 3370—2

1 Agriculture", during the existence of the War Food Ad-
2 ministration, shall mean the War Food Administrator; (2)
3 "State" includes the District of Columbia, Territory of
4 Hawaii, Puerto Rico, Alaska, and the Virgin Islands;
5 (3) "State educational agency" means, as the State legis-
6 lature may determine, (a) the chief State school officer
7 (such as the State superintendent of public instruction, com-
8 missioner of education, or similar officer), or (b) a board
9 of education controlling the State department of education;
10 except that in the District of Columbia it shall mean the
11 Board of Education, and except that for the period ending
12 June 30, 1947, "State educational agency" may mean any
13 agency or agencies within the State designated by the gov-
14 ernor to carry out the functions herein required of a State
15 educational agency; and (4) "nonprofit private school"
16 means any private school exempt from income tax under
17 section 101 (6) of the Internal Revenue Code, as amended.
18 (d) If, in any State, the State educational agency is
19 not permitted by law to disburse the funds paid to it under
20 this title to nonprofit private schools in the State, or is not
21 permitted by law to match Federal funds made available for
22 use by such nonprofit private schools, the Secretary shall
23 withhold from the funds apportioned to any such State under
24 section 102 of this title the same proportion of the funds as
25 the number of children between the ages of five and seven-

1 teen, inclusive, attending nonprofit private schools within
2 the State is of the total number of persons of those ages
3 within the State attending school. The Secretary shall dis-
4 burse the funds so withheld directly to the nonprofit private
5 schools within said State for the same purposes and subject
6 to the same conditions as are authorized or required with
7 respect to the disbursements to schools within the State
8 by the State educational agency including, but not restricted
9 to, the requirement that any such payment or payments shall
10 be matched, in the proportion specified in section 104 for
11 such State, by funds from sources within the State expended
12 by nonprofit private schools within the State participating
13 in the school-lunch program under this title. Such funds
14 shall not be considered a part of the funds constituting the
15 matching funds under the terms of section 104 or section
16 202 (c).

17 (e) The funds apportioned to nonprofit child-care
18 centers shall be disbursed by the Secretary directly to non-
19 profit child-care centers for the same purposes and subject
20 to the same conditions, except the requirements as to the
21 method of apportionment set forth in section 102, as are
22 authorized or required with respect to disbursements to
23 schools within the respective State, including but not being
24 restricted to the requirement that any such payment or
25 payments shall be matched in the proportion specified in

1 section 104 for such State for such year by funds from
2 sources within the respective State expended by nonprofit
3 child-care centers within that State participating in the
4 school-lunch program under this title. The funds from
5 sources within the State expended under this title by such
6 nonprofit child-care centers shall not be considered as a
7 part of the funds, from sources within the State, constituting
8 the matching funds of public schools or nonprofit private
9 schools in that State.

10 TITLE II—ASSISTANCE IN PROVIDING NU-
11 TRITION EDUCATION AND SCHOOL-LUNCH
12 FACILITIES

13 APPROPRIATIONS AUTHORIZED

14 SEC. 201. For each fiscal year, beginning with the fiscal
15 year ending June 30, 1946, there is hereby authorized to
16 be appropriated, out of any money in the Treasury not
17 otherwise appropriated, such sums as may be necessary,
18 not exceeding \$15,000,000, to enable the United States
19 Commissioner of Education (hereinafter referred to as the
20 "Commissioner"), under the supervision and direction of
21 the Federal Security Administrator, to carry out the pro-
22 visions of this title.

23 APPORTIONMENT AND PAYMENT TO STATES

24 SEC. 202. (a) The Commissioner shall apportion among
25 the States during each fiscal year the funds appropriated

1 for such year for carrying out the provisions of this title, less
2 not to exceed \$175,000 thereof hereby made available to
3 enable the Commissioner to carry out his functions under
4 this title. Such apportionment shall be made in accord-
5 ance with the provisions of section 102 governing the initial
6 apportionment of funds to the States under title I, except
7 that the apportionment to any State under this title shall not
8 be less than \$10,000, and except that the apportionment
9 of funds for use in Alaska, Territory of Hawaii, Puerto Rico,
10 and the Virgin Islands shall not exceed \$450,000.

11 (b) From the funds apportioned to it under subsection
12 (a) for a fiscal year, each State having a plan approved
13 under this title shall be entitled to be paid an amount,
14 limited as provided in subsection (c), which shall be used
15 by the State educational agency, either directly or through
16 grants to schools and school systems, to establish, maintain,
17 operate, and expand school-lunch programs, to provide re-
18 lated nutrition education, and to provide and train tech-
19 nical and supervisory personnel and to provide equipment
20 and facilities for such programs; except that such funds
21 may not be used for the acquisition, construction, or alter-
22 ation of buildings or for the purchase of land or food.

23 (c) Funds apportioned to a State pursuant to subsec-
24 tion (a) during any fiscal year shall be available for pay-
25 ment to the State only upon condition that such funds will

1 be matched during such year, in the proportion specified in
2 section 104 for such State for such year, by expenditures
3 from sources within the State which are either expenditures
4 specified in section 104 (a) or expenditures for the pur-
5 poses for which funds paid to the State under this title may
6 be used, not counting funds excluded from section 104 by
7 the last sentence of section 108 (d) and expenditures which
8 the State educational agency has applied against the match-
9 ing requirements of section 104.

10 (d) The amount to which each State is entitled under
11 subsection (b) for each quarter, beginning with the quarter
12 commencing July 1, 1945, shall be computed and paid in
13 the following manner:

14 The Commissioner shall, prior to the beginning of each
15 quarter, estimate the amount to be paid to the State for
16 such quarter under the provisions of subsection (b). He
17 shall then certify to the Secretary of the Treasury the amount
18 so estimated, reduced or increased as the case may be, by
19 any sum by which he finds that his estimate for any prior
20 quarter was greater or less than the amount which the State
21 was entitled to be paid for such quarter. Upon receipt of
22 such certification the Secretary of the Treasury shall, prior
23 to audit or settlement by the General Accounting Office, pay
24 in accordance with such certification from the funds appor-
25 tioned to such State under subsection (a).

STATE PLANS

SEC. 203. (a) In order to be approved a State plan for the administration of school-lunch programs must—

(1) provide that the plan shall be administered, or that its administration shall be supervised, by the State educational agency;

(2) provide that funds paid to the State under this title will be used solely for carrying out the purposes of section 202 (b) and that the amount of such funds spent during any fiscal year for administration and supervision by the State educational agency shall not exceed 15 per centum of the funds apportioned to such State for such year under this title;

(3) provide that the distribution to schools of funds paid to the State under this title, and equipment purchased with such funds, shall be only to public schools and school systems of high-school grade or under (including nonprofit private schools of high-school grade or under which receive public funds from the State or any school system thereof for payment of teachers' salaries), which undertake to furnish school lunches under agreements pursuant to title I or which, in the case of schools which do not have such agreements, satisfy the State educational agency that they will furnish school lunches on a nonprofit basis and in accordance with standards deter-

1 State agency that further payments will not be made to
2 the State until he is satisfied that there is no longer any
3 such failure to comply. Until he is so satisfied the Com-
4 missioner shall make no further certification for payment
5 to such State. Within thirty days from the decision of the
6 Commissioner to withhold funds under this section the State
7 educational agency shall have the right to appeal therefrom
8 to a United States district court having jurisdiction over
9 cases arising in such State, or in a part of such State, and
10 such court shall have jurisdiction de novo as to both fact
11 and law.

12 ADMINISTRATION

13 SEC. 205. The Commissioner shall take all necessary
14 measures to facilitate the carrying out of his functions under
15 this title.

16 DEFINITIONS

17 SEC. 206. As used in this title—

18 (a) The term “State” includes the District of Colum-
19 bia, Territory of Hawaii, Puerto Rico, Alaska, and the
20 Virgin Islands;

21 (b) The term “State educational agency” means, as
22 the State legislature may determine, (1) the chief State
23 school officer (such as the State superintendent of public
24 instruction, commissioner of education, or similar officer), or
25 (2) a board of education controlling the State department of

1 education; except that in the District of Columbia it shall
2 mean the Board of Education; and

3 (c) The term “nonprofit private school” means any
4 private school exempt from income tax under section 101
5 (6) of the Internal Revenue Code, as amended.

79TH CONGRESS
1ST SESSION

H. R. 3370

A BILL

To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

By Mr. FLANNAGAN

JUNE 4, 1945

Referred to the Committee on Agriculture

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued June 6, 1945, for actions of Tuesday, June 5, 1945)

(For staff of the Department only)

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HIGHLIGHTS: House Agriculture Committee reported bills to provide for a school-lunch program; to provide for State inspection of federally distributed grant-in-aid materials, etc.; and to continue the authority for a hops-marketing order. House Irrigation and Reclamation Committee reported a bill to facilitate the settlement of veterans and others on farms in reclamation projects. House began debate on Bretton Woods Monetary Agreements. President approved bill relating to farm machinery for flood victims.

HOUSE

1. BRETTON WOODS AGREEMENTS. Began debate on H.R. 3314, to provide for U.S. participation in the International Monetary Fund and the International Bank for Reconstruction and Development (pp. 5635-88).

Rep. Allen, Ill., stated, "It is contended that the Bretton Woods program is directly related to our domestic objective of...assuring prices and markets for our farmers" (p. 5638). During his discussion of this bill, Rep. Spence, Ky., stated that "we want a market for the surplus of our agricultural commodities" (p. 5643). Rep. Wolcott, Mich., discussed "some of the influences of the fund toward stabilization" (pp. 5666-9). Rep. Brown, Ga., discussed "the farmers' interest...in stabilizing the value of other currencies. The farmer knows what exchange stability means to farm exports, farm prices, and farm incomes" (pp. 5670-1). Rep. Outland, Calif., stated, "Agricultural organizations swing behind the Bretton Woods plan" (p. 5679). Rep. Ellsworth, Oreg., discussed the comparative returns to Canadian and domestic lumbermen based on the value of the Canadian and American dollar (p. 5682).

2. SCHOOL-LUNCH PROGRAM. Agriculture Committee reported with amendment H.R. 3370, the revised Flannagan school-lunch bill (H.Rept. 684) (p. 5689).

3. GRANTS-IN-AID. Agriculture Committee reported with amendment H.R. 3321, to provide for State inspection of federally distributed grant-in-aid materials, etc. (H. Rept. 682) (p. 5689).

4. RECLAMATION; VETERANS. Irrigation and Reclamation Committee reported with amendment H.R. 520, to facilitate the settlement of returning veterans and others on farms in reclamation projects (H. Rept. 688)(p. 5690).

5. MARKETING. Agriculture Committee reported without amendment S. 427, to repeal that provision of the Agricultural Marketing Agreement Act which limits to

Sept. 1, 1945, the effectiveness of a hops-marketing order (H. Rept. 680) (p. 5689).

6. FORESTRY. Agriculture Committee reported without amendment H.R. 699, to amend the act regarding game refuges in the Ozark National Forest (H. Rept. 679) (p. 5689).
7. IRRIGATION. Indian Affairs Committee reported without amendment S. 812, to amend the San Carlos Act so as to provide that the construction charges on account of non-Indian lands in the San Carlos irrigation project shall be repaid in variable annual payments (H. Rept. 687) (p. 5690).
8. LANDS. Agriculture Committee reported without amendment H.R. 2285, to authorize the Secretary of Agriculture to grant and convey to Springfield Township, Montgomery County, Pa., certain ^{BAIC} lands of the U.S. in Springfield Township, Montgomery County, Pa., for highway purposes and for ornamental-park purposes (H. Rept. 681) (p. 5689).
9. RURAL REHABILITATION. Received Mo. citizens' petitions favoring legislation enabling the tenants and occupants of Delmo Labor Homes to purchase these homes on long terms at low interest rates, so that these Missourians will not be evicted and rendered homeless under the Farm Security program, now pending, to liquidate this project by sale to the highest bidder. To Agriculture Committee (p. 5691.)
10. FAIR EMPLOYMENT. Rep. Hook, Mich., urged that the Appropriations Committee reconsider its action in depriving the FEPC of funds (p. 5688).
11. RUBBER. Received (June 4, 1945) from the President a draft of a proposed provision affecting an existing appropriation for the emergency rubber project (H. Doc. 216). The provision would "authorize the Secretary of Agriculture to harvest and deliver to the Rubber Reserve Company guayule shrub from the emergency rubber project to be processed into guayule rubber. The price which would be paid by the Rubber Reserve Company for the guayule shrub would be the amount of its net realization from the sale of the rubber recovered from such shrub after deducting milling costs and amortization of the cost of mills constructed for the purpose of said Company." To Appropriations Committee.
12. FLOOD CONTROL. Received (June 4, 1945) from the President supplemental appropriation estimate for the War Department: Rivers and harbors, \$2,504,600; flood control, general, \$8,906,000 (H. Doc. 217). WFA had recommended for immediate construction the Richmond Harbor project, \$25,000. To Appropriations Committee.

SENATE

NOT IN SESSION. Next meeting Wed., June 6.

BILL INTRODUCED

13. FOREIGN TRADE. H.R. 3382, by Rep. Celler, N.Y., to amend Sec. 3 of the act of June 18, 1934, relating to the establishment of foreign-trade zones. To Ways and Means Committee. (p. 5690.)
H.Res. 284, by Rep. Beckworth, Tex., to authorize the Interstate and Foreign Commerce Committee, as a whole or by subcommittee, to investigate the effect of cartels on commerce with foreign nations and among the several States. To Rules Committee. (p. 5690.)

To Mr. PLUMLEY (at the request of Mr. MARTIN of Massachusetts), for 10 days, on account of official business.

To Mr. H. CARL ANDERSEN (at the request of Mr. PITTENGER), for the remainder of the week, on account of illness in the family.

ADJOURNMENT

Mr. SPENCE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 58 minutes p. m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 6, 1945, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

(Wednesday, June 6, 1945)

There will be a meeting of the Committee on World War Veterans' Legislation, in open session, on Wednesday, June 6, 1945, at 10 o'clock, in the committee room, 356 Old House Office Building.

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

(Wednesday, June 6, 1945)

There will be a meeting of the Committee on Expenditures in the Executive Departments at 10 a. m., Wednesday, June 6, 1945, to resume hearings on H. R. 2177.

COMMITTEE ON PATENTS

(Wednesday, June 6, 1945)

There will be a meeting of the Committee on Patents on Wednesday, June 6, 1945, at 10 a. m., to continue hearings on H. R. 2630, a bill to provide for the public registering of patents available for licensing; H. R. 2631, a bill to limit the life of a patent to a term commencing with the date of the application; and H. R. 2632, a bill to require the recording of agreements relating to patents.

COMMITTEE ON THE JUDICIARY

(Monday, June 11, 1945)

There will be a public hearing before Subcommittee No. 4 of the Committee on the Judiciary, beginning at 10 a. m., on Monday, June 11, 1945, on the bill (H. R. 2788) to amend title 28 of the Judicial Code in regard to the limitation of certain actions, and for other purposes. The hearing will be held in room 346, Old House Office Building.

COMMITTEE ON THE POST OFFICE AND POST ROADS

(Tuesday, June 12, 1945)

There will be a meeting of the full Committee on the Post Office and Post Roads on Tuesday, June 12, 1945, at 10 a. m., at which time hearings will be resumed on H. R. 3235, a bill readjusting the rates of postage on books.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

(Thursday, June 14, 1945)

The Committee on Immigration and Naturalization will hold an executive hearing at 10:30 a. m., on Thursday, June 14, 1945, on H. R. 173, H. R. 1584, and H. R. 2256.

COMMITTEE ON THE JUDICIARY

(Friday, June 15, 1945)

The Special Subcommittee on Bankruptcy and Reorganization of the Com-

mittee on the Judiciary will conduct hearings on Friday, June 15, 1945, beginning at 10 a. m., on the bills (H. R. 33 and H. R. 3338) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (referees—method of appointing, compensation, etc.). The hearing will be held in the Judiciary Committee room, 346 House Office Building.

(Monday, June 18, 1945)

The Committee on the Judiciary has scheduled hearings, to begin at 10 a. m., on Monday, June 18, 1945, on the following joint resolutions: House Joint Resolution 67, to declare the policy of the Government of the United States in regard to tide and submerged lands; and House Joint Resolution 118, House Joint Resolution 119, House Joint Resolution 122, House Joint Resolution 123, House Joint Resolution 124, House Joint Resolution 125, House Joint Resolution 128, House Joint Resolution 129, House Joint Resolution 130, House Joint Resolution 134, House Joint Resolution 137, House Joint Resolution 138, House Joint Resolution 146, House Joint Resolution 148, House Joint Resolution 153, House Joint Resolution 172, and House Joint Resolution 193, entitled "To quiet the titles of the respective States and others to lands beneath tidewaters and lands beneath navigable waters within the boundaries of such States and to prevent further clouding of such titles." The hearings will be held in the Judiciary Committee room, 346 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

532. A letter from the Acting Secretary of State, transmitting a draft of a proposed bill, for the relief of Clarence J. Spiker and Fred W. Jandrey; to the Committee on Foreign Affairs.

533. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the fiscal year 1945, in the amount of \$50,000, for the Executive Office of the President, Executive Mansion and Grounds (H. Doc. No. 221); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLE of Kansas: Committee on Claims. H. R. 2805. A bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as a result of a fire in Quonset hut occupied by Eighty-third United States Naval Construction Battalion at Camp Rousseau, Port Hueneme, Calif., on December 22, 1944; without amendment (Rept. No. 675). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLE of Kansas: Committee on Claims. H. R. 2806. A bill to reimburse certain Navy personnel for personal property lost or damaged in a fire at naval base 2, Rosneath, Scotland, on October 12, 1944; without

amendment (Rept. No. 676). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLE of Kansas: Committee on Claims. H. R. 2807. A bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as a result of a fire in Quonset hut E-172 at the amphibious training base, Camp Bradford, naval operating base, Norfolk, Va., on January 20, 1945; without amendment (Rept. No. 677). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLE of Kansas: Committee on Claims. H. R. 2853. A bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in the United States Naval Hospital, Seattle, Wash., on May 10, 1944; without amendment (Rept. No. 678). Referred to the Committee of the Whole House of the State of the Union.

Mr. GATHINGS: Committee on Agriculture. H. R. 699. A bill to amend paragraph 682 of title 16 of the United States Code; without amendment (Rept. No. 679). Referred to the Committee of the Whole House on the State of the Union.

Mr. FLANNAGAN: Committee on Agriculture. S. 427. An act to repeal section 3 of the act approved April 13, 1938, as amended, relating to hops; without amendment (Rept. No. 680). Referred to the Committee of the Whole House on the State of the Union.

Mr. FLANNAGAN: Committee on Agriculture. H. R. 2285. A bill to authorize the Secretary of Agriculture to grant and convey to Springfield Township, Montgomery County, Pa., certain lands of the United States in Springfield Township, Montgomery County, Pa., for highway purposes and for ornamental-park purposes; without amendment (Rept. No. 681). Referred to the Committee of the Whole House on the State of the Union.

Mr. FLANNAGAN: Committee on Agriculture. H. R. 3321. A bill to provide that the several States shall continue effective measures of control and protection against the importation, introduction, and spread of noxious weeds, injurious insects, and animal and plant diseases, and to guarantee that purchasers or recipients of seeds, livestock, and poultry feeds, nursery stocks, fertilizers, and other agricultural chemicals shall have the protection guaranteed them under the laws enacted by the several States; with amendment (Rept. No. 682). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. H. R. 2538. A bill to incorporate The Mothers of World War No. Two, to set forth and establish the purposes and aims of the organization, fixing its corporate powers and establishing the rights of membership, and for other purposes; without amendment (Rept. No. 683). Referred to the House Calendar.

Mr. FLANNAGAN: Committee on Agriculture. H. R. 3370. A bill to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes; without amendment (Rept. No. 684). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 1647. A bill to authorize the Secretary of War to convey to the Captain William Edmiston Chapter of the Daughters of the American Revolution a certain building and tract or parcel of land situated in Montgomery County, Tenn.; with amendment (Rept. No. 685). Referred to the Committee of the Whole House on the State of the Union.

Mr. FENTON: Committee on Military Affairs. H. R. 2477. A bill to give recognition to the noncombatant services under enemy fire performed by officers and enlisted men of the Medical Corps of the Army; with amendment (Rept. No. 686). Referred to the Com-

mittee of the Whole House on the State of the Union.

Mr. MURDOCK: Committee on Indian Affairs. H. R. 3288. A bill to amend section 3 of the San Carlos Act (43 Stat. 475-476), as supplemented and amended, and for other purposes; without amendment (Rept. No. 687). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURDOCK: Committee on Irrigation and Reclamation. H. R. 520. A bill to facilitate settlement of returning veterans on farms in projects constructed, operated, and maintained by the Bureau of Reclamation; with amendment (Rept. No. 688). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XXII reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. McGEHEE: Committee of conference. H. R. 1307. A bill for the relief of Continental Casualty Co., a corporation, and Montgomery City Lines, Inc.; with amendment (Rept. No. 660). Ordered to be printed.

Mr. HEDRICK: Committee on Claims. S. 311. An act for the relief of Philip Kleinman; without amendment (Rept. No. 661). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. S. 426. An act for the relief of Mr. and Mrs. Walter M. Johnson; without amendment (Rept. No. 662). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 213. A bill for the relief of Mrs. Ruth C. Stone; without amendment (Rept. No. 663). Referred to the Committee of the Whole House.

Mr. BARRETT of Pennsylvania: Committee on Claims. H. R. 241. A bill for the relief of Mrs. Ruby H. Hunsucker; with amendment (Rept. No. 664). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 1067. A bill for the relief of the estate of, and/or the heirs at law of, Frank D. Howells, former treasurer of the city of Richmond, Ind.; without amendment (Rept. No. 665). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 1089. A bill for the relief of Albert Cantalupo; with amendment (Rept. No. 666). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 1257. A bill for the relief of George C. Tyler and Doris M. Tyler; with amendment (Rept. No. 667). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 1301. A bill for the relief of Madeline Winter; with amendment (Rept. No. 668). Referred to the Committee of the Whole House.

Mr. BYRNES of Wisconsin: Committee on Claims. H. R. 1346. A bill for the relief of Alaska D. Jennette; without amendment (Rept. No. 669). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on Claims. H. R. 1882. A bill for the relief of R. L. Whittington, Mrs. R. L. Whittington, and Mrs. J. B. Whittington; with amendment (Rept. No. 670). Referred to the Committee of the Whole House.

Mr. STIGLER: Committee on Claims. H. R. 2265. A bill for the relief of owners of land and personal property of the Fort Knox area of Hardin County, Ky.; without amendment (Rept. No. 671). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 2321. A bill for the relief of the Springfield Cooperative Bank; with amendment

(Rept. No. 672). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 2511. A bill for the relief of Patricia M. Kacprzyk and Alex D. Leontire; with amendment (Rept. No. 673). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 2621. A bill for the relief of Haselden & Huggins Co.; with amendment (Rept. No. 674). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 2667), granting an increase of pension to Matthew A. Summers, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H. R. 3379. A bill to establish uniform qualifications of jurors in the Federal courts, and for other purposes; to the Committee on the Judiciary.

H. R. 3380. A bill to provide for a jury commission for each district court of the United States, to regulate its compensation, to prescribe its duties, and for other purposes; to the Committee on the Judiciary.

H. R. 3381. A bill relating to the payment of fees, expenses, and cost of jurors; to the Committee on the Judiciary.

H. R. 3382. A bill to amend section 3 of the act of June 18, 1934, relating to the establishment of foreign-trade zones; to the Committee on Ways and Means.

By Mr. LEA:

H. R. 3383. A bill to amend the Civil Aeronautics Act of 1938, as amended, with respect to Federal and State jurisdiction over the regulation of civil aviation; to the Committee on Interstate and Foreign Commerce.

By Mr. RANKIN:

H. R. 3384. A bill to protect honorably discharged veterans in their rights to join or refrain from joining labor and other organizations; to the Committee on World War Veterans Legislation.

By Mr. WELCH:

H. R. 3385. A bill to alleviate the effect on seamen's wages of the annual accounting period for the purposes of the Federal income tax; to the Committee on Ways and Means.

By Mr. MURDOCK:

H. R. 3386. A bill authorizing the Bureau of Reclamation, Department of the Interior, to make payment to school districts as compensation for education of children of Federal employees residing on federally owned property; to the Committee on Irrigation and Reclamation.

By Mrs. SMITH of Maine:

H. R. 3387. A bill to provide for maintaining the regiment of midshipmen at the United States Naval Academy at full strength; to the Committee on Naval Affairs.

By Mr. BECKWORTH:

H. Res. 284. A resolution to authorize the Committee on Interstate and Foreign Commerce, as a whole or by subcommittee, to investigate the effect of cartels on commerce with foreign nations and among the several States; to the Committee on Rules.

By Mr. CANNON of Missouri:

H. J. Res. 212. A joint resolution making a supplemental appropriation for the fiscal year ending June 30, 1945, for the Children's Bureau, Department of Labor, and for other purposes; to the Committee on Appropriations.

By Mr. BENNET of New York:

H. J. Res. 213. A joint resolution declaring that it is the sense of Congress that the United Nations assume responsibility for the repatriation of the Hebrews in Europe; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BIEMILLER:

H. R. 3388. A bill for the relief of Mrs. Jeanette B. Stedman; to the Committee on Claims.

By Mr. LESINSKI:

H. R. 3389. A bill granting a pension to Anna Eleanor Roosevelt; to the Committee on Invalid Pensions.

By Mr. McCORMACK:

H. R. 3390. A bill for the relief of the estate of Thomas McGarroll; to the Committee on Claims.

By Mrs. SMITH of Maine:

H. R. 3391. A bill for the relief of Lawrence Portland Cement Co.; to the Committee on Claims.

By Mr. VINSON:

H. R. 3392. A bill conferring jurisdiction upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment upon the claim of Mrs. Velma G. Turner, as successor trustee to Allen W. Turner, for the uses and benefit of Allen W. Turner, Jr., under deed executed October 13, 1931, recorded in book 401, page 368, clerk's office, Bibb Superior Court, and/or Allen W. Turner, Jr., of Macon, Ga.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

858. By Mr. BRYSON: Petition of Mrs. Edna Z. Sheldon and 18 citizens of Copenhagen, N. Y., urging enactment of H. R. 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

859. Also, petition of Esley B. Higgins and 49 citizens of the State of Indiana, urging enactment of H. R. 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

860. Also, petition of D. B. Weintz and 20 citizens of the State of Oregon, urging enactment of H. R. 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

861. Also, petition of Mrs. A. C. Wolff and 1,083 citizens of the State of California, urging enactment of H. R. 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

862. Also, petition of Mrs. Mary S. Russell and 7,715 citizens of the State of Georgia, urging enactment of H. R. 2082, a measure to reduce absenteeism, conserve manpower, and

Union Calendar No. 187

79TH CONGRESS
1ST SESSION

H. R. 3370

[Report No. 684]

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 1945

Mr. FLANNAGAN introduced the following bill; which was referred to the Committee on Agriculture

JUNE 5, 1945

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "National School Lunch
4 Act".

5 DECLARATION OF POLICY

6 SEC. 2. It is hereby declared to be the policy of Con-
7 gress, as a measure of national security, to safeguard the
8 health and well-being of the Nation's children and to en-
9 courage the domestic consumption of nutritious agricultural
10 commodities and other food, by assisting the States, through

1 grants-in-aid and other means, in providing an adequate
2 supply of foods and other facilities for the establishment,
3 maintenance, operation, and expansion of school-lunch and
4 nutrition-education programs.

5 TITLE I—ASSISTANCE IN PROVIDING FOOD

6 APPROPRIATIONS AUTHORIZED

7 SEC. 101. For each fiscal year, beginning with the
8 fiscal year ending June 30, 1946, there is hereby authorized
9 to be appropriated, out of money in the Treasury not other-
10 wise appropriated, such sums as may be necessary, not ex-
11 ceeding \$50,000,000, to enable the Secretary of Agricul-
12 ture (hereinafter referred to as the "Secretary") to carry
13 out the provisions of this title. For the fiscal year ending
14 June 30, 1946, the funds made available to the Secretary
15 under the item entitled "School-lunch program", Depart-
16 ment of Agriculture Appropriation Act, 1946, are hereby
17 made immediately available for carrying out the provisions
18 of this title during such year.

19 APPORTIONMENTS TO STATES

20 SEC. 102. The Secretary shall apportion among the States
21 during each fiscal year not less than 75 per centum of the
22 funds appropriated for such year for carrying out the provi-
23 sions of this title: *Provided*, That of the funds available to
24 the Secretary for the purposes of this title not in excess of
25 2 per centum thereof shall be available to the Secretary

1 for use directly in nonprofit child care centers: *Provided*
2 *further*, That of the funds made available by this title not
3 in excess of \$1,500,000 can be used in Alaska, Territory of
4 Hawaii, Puerto Rico, and the Virgin Islands. Apportion-
5 ment among the States shall be made on the basis of two
6 factors: (1) The number of children in the State between the
7 ages of five and seventeen, inclusive, and (2) the need for
8 assistance in the State as indicated by the relation of the
9 per capita income in the United States to the per capita
10 income in the State. The amount of the initial appor-
11 tionment to any State shall be determined by the fol-
12 lowing method: First, determine an index for the State
13 by multiplying factors (1) and (2); second, divide this
14 index by the sum of the indices for all the States; and,
15 finally, apply the figure thus obtained to the total funds
16 to be apportioned. For the purpose of this section, the
17 number of children in the State and per capita income
18 figures shall be the latest figures certified by the Department
19 of Commerce. For the purposes of this title, "school" means
20 any public or nonprofit private school of high-school grade or
21 under. If any State cannot utilize all funds so apportioned
22 to it, or if additional funds are available under this title
23 for apportionment among the States, the Secretary shall
24 make further apportionments to the remaining States in
25 the same manner.

1 DIRECT FEDERAL EXPENDITURE

2 SEC. 103. The funds appropriated for any fiscal year
3 for carrying out the provisions of this title, less such amounts
4 as the Congress makes available to the Secretary for his
5 administrative expenses (but not in excess of 3 per centum
6 of the funds appropriated for the purposes of this title) and
7 less the amount apportioned by him among the States pursuant
8 to section 102, shall be available to the Secretary during such
9 year for direct expenditure by him for agricultural commodi-
10 ties and other foods to be distributed among the States and
11 schools participating in the school-lunch program under this
12 title. The provisions of law contained in the proviso of the
13 Act of June 28, 1937 (50 Stat. 323), facilitating opera-
14 tions with respect to the purchase and disposition of surplus
15 agricultural commodities under section 32 of the Act ap-
16 proved August 24, 1935 (49 Stat. 774), as amended,
17 shall, to the extent not inconsistent with the provisions of
18 this title, also be applicable to expenditures of funds by the
19 Secretary under this title.

20 PAYMENTS TO STATES

21 SEC. 104. (a) Funds apportioned to any State pur-
22 suant to section 102 during any fiscal year shall be avail-
23 able for payment to such State for disbursement by the
24 State educational agency, in accordance with agreements
25 entered into by the Secretary and such State educational

1 agency, as authorized by the provisions of this title, for the
2 purpose of assisting schools of that State during such fiscal
3 year, in supplying agricultural commodities and other foods
4 for consumption by children in the school-lunch program
5 under this title. Such payments to any State during the
6 fiscal years 1946 and 1947 shall be made upon condition
7 that each dollar thereof will be matched during each such
8 year by one dollar from sources within the State determined
9 by the Secretary to have been expended in connection with
10 the school-lunch program under this title. Such payments
11 during the fiscal year 1948 shall be made upon condition
12 that each dollar thereof will be so matched by two dollars.
13 Such payments during the fiscal years 1949 and 1950 shall
14 be made upon condition that each dollar thereof will be
15 so matched by three dollars; and for any fiscal year there-
16 after, such payments shall be made upon condition that
17 each dollar will be so matched by four dollars. In
18 the case of any State whose per capita income is less
19 than the per capita income of the United States, the match-
20 ing required for any fiscal year shall be decreased by the
21 percentage which the State per capita income is below the
22 per capita income of the United States. For the purpose
23 of determining whether the matching requirements of this
24 section and section 108 (d), respectively, have been met, the
25 reasonable value of donated services, supplies, facilities, and

1 equipment as certified, respectively, by the State educational
2 agency and, in the case of schools receiving funds pursuant
3 to section 108 (d), by such schools (but not the cost or value
4 of land, of the acquisition, construction, or alteration of build-
5 ings, of commodities donated by the Secretary, or of Fed-
6 eral contributions made pursuant to title II) may be regarded
7 as funds from sources within the State expended in con-
8 nection with the school-lunch program. The Secretary shall
9 certify to the Secretary of the Treasury from time to time
10 the amounts to be paid to any State under this section and
11 the time or times such amounts are to be paid; and the
12 Secretary of the Treasury shall pay to the State at the
13 time or times fixed by the Secretary the amounts so
14 certified.

15 (b) In the event that the total of the funds from
16 sources within the State which may be considered as match-
17 ing funds under this section or section 202 (c) do not
18 completely match, in accordance with the requirements of
19 such sections, the funds apportioned to the State under
20 both titles I and II (and not withheld under section 108
21 (d)), the State educational agency may determine from
22 time to time the application of such funds from sources
23 within the State against the matching requirements of this
24 section and section 202 (c), respectively, except that funds
25 from sources within the State used in connection with schools

1 not participating in the school-lunch program under title I
2 may not be used for matching funds under title I.

3 - STATE DISBURSEMENT TO SCHOOLS

4 SEC. 105. Funds paid to any State during any fiscal
5 year pursuant to section 104 shall be disbursed by the State
6 educational agency, under such agreements made in accord-
7 ance with the provisions of this title and approved by
8 the Secretary as may be entered into by such State agency
9 and the schools in the State, to those schools in the
10 State which the State educational agency, taking into
11 account need and attendance, determines are eligible to
12 participate in the school-lunch program under this title.
13 Such disbursement to any school shall be made only for
14 the purpose of reimbursing it for the cost of obtaining agri-
15 cultural commodities and other foods for consumption by
16 children in the school-lunch program under this title. Such
17 cost may include, in addition to the purchase price of agri-
18 cultural commodities and other foods, the cost of processing,
19 distributing, transporting, storing, or handling thereof but
20 not the cost of administrative, supervisory, or other personal
21 services incurred in connection with the school-lunch pro-
22 gram under this title. In no event shall such disbursement
23 to any school for any fiscal year exceed an amount deter-
24 mined by multiplying the number of lunches served in the
25 school in the school-lunch program under this title durin

1 such year by the maximum Federal food cost contribution
2 rate for the State, for the type of lunch served, as prescribed
3 by the Secretary.

4 NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

5 SEC. 106. Lunches served by schools participating in
6 the school-lunch program under this title shall meet mini-
7 mum nutritional requirements prescribed by the Secretary
8 on the basis of tested nutritional research. Such meals shall
9 be served without cost, or at a reduced cost, to children
10 who are determined by local school authorities to be un-
11 able to pay the full cost of the lunch. No physical
12 segregation of or other discrimination against any child shall
13 be made by the school because of his inability to pay. School-
14 lunch programs under this title shall be operated on a non-
15 profit basis. Each school shall, insofar as practicable, utilize
16 in its lunch program commodities designated from time to
17 time by the Secretary as being in abundance, either nationally
18 or in the school area, or commodities donated by the Secre-
19 tary. Commodities purchased under the authority of sec-
20 tion 32 of the Act of August 24, 1935 (49 Stat. 774), as
21 amended, may be donated by the Secretary to schools, in
22 accordance with the needs as determined by local school
23 authorities for utilization in the school-lunch program under
24 this title as well as to other schools and institutions now
25 authorized to receive such commodities.

1 STATE EDUCATIONAL POLICIES PRESERVED

2 SEC. 107. In carrying out the provisions of this title,
3 neither the Secretary nor the State shall impose any re-
4 quirement with respect to administration, teaching person-
5 nel, curriculum, instruction, methods of instruction, or ma-
6 terials of instruction of any school.

7 MISCELLANEOUS PROVISIONS AND DEFINITIONS

8 SEC. 108. (a) States, State educational agencies, and
9 schools participating in the school-lunch program under this
10 title shall keep such accounts and records as may be neces-
11 sary to enable the Secretary to determine whether the pro-
12 visions of this title are being complied with. Such accounts
13 and records shall at all times be available for inspection
14 and audit by representatives of the Secretary and shall be
15 preserved for such period of time, not in excess of five years,
16 as the Secretary determines is necessary.

17 (b) The Secretary shall incorporate, in his agreements
18 with the State educational agencies, the express require-
19 ments under this title with respect to the operation of the
20 school-lunch program under this title insofar as they may be
21 applicable and such other provisions as in his opinion are
22 reasonably necessary or appropriate to effectuate the pur-
23 poses of this title.

24 (c) For the purposes of this title, (1) "Secretary of

1 Agriculture", during the existence of the War Food Ad-
2 ministration, shall mean the War Food Administrator; (2)
3 "State" includes the District of Columbia, Territory of
4 Hawaii, Puerto Rico, Alaska, and the Virgin Islands;
5 (3) "State educational agency" means, as the State legis-
6 lature may determine, (a) the chief State school officer
7 (such as the State superintendent of public instruction, com-
8 missioner of education, or similar officer), or (b) a board
9 of education controlling the State department of education;
10 except that in the District of Columbia it shall mean the
11 Board of Education, and except that for the period ending
12 June 30, 1947, "State educational agency" may mean any
13 agency or agencies within the State designated by the gov-
14 ernor to carry out the functions herein required of a State
15 educational agency; and (4) "nonprofit private school"
16 means any private school exempt from income tax under
17 section 101 (6) of the Internal Revenue Code, as amended.
18 (d) If, in any State, the State educational agency is
19 not permitted by law to disburse the funds paid to it under
20 this title to nonprofit private schools in the State, or is not
21 permitted by law to match Federal funds made available for
22 use by such nonprofit private schools, the Secretary shall
23 withhold from the funds apportioned to any such State under
24 section 102 of this title the same proportion of the funds as
25 the number of children between the ages of five and seven-

1 teen, inclusive, attending nonprofit private schools within
2 the State is of the total number of persons of those ages
3 within the State attending school. The Secretary shall dis-
4 burse the funds so withheld directly to the nonprofit private
5 schools within said State for the same purposes and subject
6 to the same conditions as are authorized or required with
7 respect to the disbursements to schools within the State
8 by the State educational agency including, but not restricted
9 to, the requirement that any such payment or payments shall
10 be matched, in the proportion specified in section 104 for
11 such State, by funds from sources within the State expended
12 by nonprofit private schools within the State participating
13 in the school-lunch program under this title. Such funds
14 shall not be considered a part of the funds constituting the
15 matching funds under the terms of section 104 or section
16 202 (c).

17 (e) The funds apportioned to nonprofit child-care
18 centers shall be disbursed by the Secretary directly to non-
19 profit child-care centers for the same purposes and subject
20 to the same conditions, except the requirements as to the
21 method of apportionment set forth in section 102, as are
22 authorized or required with respect to disbursements to
23 schools within the respective State, including but not being
24 restricted to the requirement that any such payment or
25 payments shall be matched in the proportion specified in

1 section 104 for such State for such year by funds from
2 sources within the respective State expended by nonprofit
3 child-care centers within that State participating in the
4 school-lunch program under this title. The funds from
5 sources within the State expended under this title by such
6 nonprofit child-care centers shall not be considered as a
7 part of the funds, from sources within the State, constituting
8 the matching funds of public schools or nonprofit private
9 schools in that State.

10 TITLE II—ASSISTANCE IN PROVIDING NU-
11 TRITION EDUCATION AND SCHOOL-LUNCH
12 FACILITIES

13 APPROPRIATIONS AUTHORIZED

14 SEC. 201. For each fiscal year, beginning with the fiscal
15 year ending June 30, 1946, there is hereby authorized to
16 be appropriated, out of any money in the Treasury not
17 otherwise appropriated, such sums as may be necessary,
18 not exceeding \$15,000,000, to enable the United States
19 Commissioner of Education (hereinafter referred to as the
20 "Commissioner"), under the supervision and direction of
21 the Federal Security Administrator, to carry out the pro-
22 visions of this title.

23 APPORTIONMENT AND PAYMENT TO STATES

24 SEC. 202. (a) The Commissioner shall apportion among
25 the States during each fiscal year the funds appropriated

1 for such year for carrying out the provisions of this title, less
2 not to exceed \$175,000 thereof hereby made available to
3 enable the Commissioner to carry out his functions under
4 this title. Such apportionment shall be made in accord-
5 ance with the provisions of section 102 governing the initial
6 apportionment of funds to the States under title I, except
7 that the apportionment to any State under this title shall not
8 be less than \$10,000, and except that the apportionment
9 of funds for use in Alaska, Territory of Hawaii, Puerto Rico,
10 and the Virgin Islands shall not exceed \$450,000.

11 (b) From the funds apportioned to it under subsection

12 (a) for a fiscal year, each State having a plan approved
13 under this title shall be entitled to be paid an amount,
14 limited as provided in subsection (c), which shall be used
15 by the State educational agency, either directly or through
16 grants to schools and school systems, to establish, maintain,
17 operate, and expand school-lunch programs, to provide re-
18 lated nutrition education, and to provide and train tech-
19 nical and supervisory personnel and to provide equipment
20 and facilities for such programs; except that such funds
21 may not be used for the acquisition, construction, or alter-
22 ation of buildings or for the purchase of land or food.

23 (c) Funds apportioned to a State pursuant to subsec-
24 tion (a) during any fiscal year shall be available for pay-
25 ment to the State only upon condition that such funds will

1 be matched during such year, in the proportion specified in
2 section 104 for such State for such year, by expenditures
3 from sources within the State which are either expenditures
4 specified in section 104 (a) or expenditures for the pur-
5 poses for which funds paid to the State under this title may
6 be used, not counting funds excluded from section 104 by
7 the last sentence of section 108 (d) and expenditures which
8 the State educational agency has applied against the match-
9 ing requirements of section 104.

10 (d) The amount to which each State is entitled under
11 subsection (b) for each quarter, beginning with the quarter
12 commencing July 1, 1945, shall be computed and paid in
13 the following manner:

14 The Commissioner shall, prior to the beginning of each
15 quarter, estimate the amount to be paid to the State for
16 such quarter under the provisions of subsection (b). He
17 shall then certify to the Secretary of the Treasury the amount
18 so estimated, reduced or increased as the case may be, by
19 any sum by which he finds that his estimate for any prior
20 quarter was greater or less than the amount which the State
21 was entitled to be paid for such quarter. Upon receipt of
22 such certification the Secretary of the Treasury shall, prior
23 to audit or settlement by the General Accounting Office, pay
24 in accordance with such certification from the funds appor-
25 tioned to such State under subsection (a).

STATE PLANS

SEC. 203. (a) In order to be approved a State plan for the administration of school-lunch programs must—

(1) provide that the plan shall be administered, or that its administration shall be supervised, by the State educational agency;

(2) provide that funds paid to the State under this title will be used solely for carrying out the purposes of section 202 (b) and that the amount of such funds spent during any fiscal year for administration and supervision by the State educational agency shall not exceed 15 per centum of the funds apportioned to such State for such year under this title;

(3) provide that the distribution to schools of funds paid to the State under this title, and equipment purchased with such funds, shall be only to public schools and school systems of high-school grade or under (including nonprofit private schools of high-school grade or under which receive public funds from the State or any school system thereof for payment of teachers' salaries), which undertake to furnish school lunches under agreements pursuant to title I or which, in the case of schools which do not have such agreements, satisfy the State educational agency that they will furnish school lunches on a nonprofit basis and in accordance with standards deter-

1 mined by the State educational agency to be consistent
2 with standards, for nutritional adequacy of school-lunch
3 programs, established by the United States Department
4 of Agriculture;

5 (4) provide that any school or school system re-
6 ceiving funds under the plan shall serve meals without
7 cost or at a reduced cost to children who are determined
8 by local school authorities to be unable to pay the full
9 cost of the lunch, and shall make no physical segrega-
10 tion or other discrimination against any child because
11 of his inability to pay; and

12 (5) provide that the State educational agency will
13 make such reports, in such form and containing such
14 information, as the Commissioner may from time to time
15 require.

16 (b) The Commissioner shall approve any State plan
17 which he determines complies with the provisions of subsec-
18 tion (a) of this section.

19 OPERATION OF STATE PLANS

20 SEC. 204. Whenever the Commissioner, after reasonable
21 notice and opportunity for hearing to the State educational
22 agency, finds that with respect to money paid to the State
23 under this title there is a failure to comply substantially
24 with any provision required by section 203 (a) to be
25 included in the plan, the Commissioner shall notify such

1 State agency that further payments will not be made to
2 the State until he is satisfied that there is no longer any
3 such failure to comply. Until he is so satisfied the Com-
4 missioner shall make no further certification for payment
5 to such State. Within thirty days from the decision of the
6 Commissioner to withhold funds under this section the State
7 educational agency shall have the right to appeal therefrom
8 to a United States district court having jurisdiction over
9 cases arising in such State, or in a part of such State, and
10 such court shall have jurisdiction de novo as to both fact
11 and law.

12 ADMINISTRATION

13 SEC. 205. The Commissioner shall take all necessary
14 measures to facilitate the carrying out of his functions under
15 this title.

16 DEFINITIONS

17 SEC. 206. As used in this title—

18 (a) The term "State" includes the District of Colum-
19 bia, Territory of Hawaii, Puerto Rico, Alaska, and the
20 Virgin Islands;

21 (b) The term "State educational agency" means, as
22 the State legislature may determine, (1) the chief State
23 school officer (such as the State superintendent of public
24 instruction, commissioner of education, or similar officer), or
25 (2) a board of education controlling the State department of

1 education; except that in the District of Columbia it shall
2 mean the Board of Education; and

3 (c) The term “nonprofit private school” means any
4 private school exempt from income tax under section 101
5 (6) of the Internal Revenue Code, as amended.

79TH CONGRESS
1ST Session

H. R. 3370

[Report No. 684]

A BILL

To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

By Mr. FLANNAGAN

JUNE 4, 1945

Referred to the Committee on Agriculture

JUNE 5, 1945

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

SCHOOL LUNCH PROGRAM

JUNE 5, 1945.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. FLANNAGAN, from the Committee on Agriculture, submitted the following

REPORT

[To accompany H. R. 3370]

The Committee on Agriculture, to whom was referred the bill (H. R. 3370), to provide for assistance to the States in the establishment, maintenance, operation, and expansion of school lunch programs, and for other purposes, having considered the same, report thereon with a recommendation that it do pass.

STATEMENT

The extensive hearings which this committee has held on the school lunch program were based on H. R. 3143. At the close of the hearings, numerous amendments were adopted by the committee and H. R. 3370 was thereupon introduced as a clean bill, incorporating the amendments.

The national school lunch bill provides basic, comprehensive legislation for aid, in general, to the States in the operation of school lunch programs as permanent and integral parts of their school systems, and thus supersedes the prevailing arrangement of a temporary year-to-year program based only upon authority contained in annual appropriations therefor for the Department of Agriculture. Such aid, heretofore extended by Congress through the Department of Agriculture has, for the past 10 years, proven of exceptional benefit to the children, schools, and agriculture of the country as a whole, but the necessity for now coordinating the work throughout the Nation, and especially to encourage and increase the financial participation and active control by the several States makes it desirable that permanent enabling legislation take the place of the present temporary legislative structure.

The method utilized by this bill is, in the main, one of grants-in-aid to the States which are required to match these grants, at first

dollar for dollar, and then progressively increasing their contribution so that the State shall finally bear 80 percent of the cost of the program. The bill is a two-title bill. The payments authorized by the first title, comprising 75 percent of the funds appropriated to this title, are made to the schools by the Secretary of Agriculture through the State educational agency (the nonprofit child-care centers and, in some instances, nonprofit private schools will receive the payments directly from the Secretary of Agriculture, as discussed more fully hereinafter) solely for the purchase of foodstuffs for the children's lunches. In addition thereto, the Secretary, using about 25 percent of the funds, contributes directly foodstuffs purchased by him for the children's lunches. The Secretary is to use all the facilities of the Department of Agriculture toward maintaining adequate nutritional standards and at the same time channel consumption toward abundant foods. Payments provided for in title II of the bill, made to the schools by the Commissioner of Education, are to be used for educational and supervisory purposes, and facilities and equipment, all in connection with the school-lunch program. The background and experience of the United States Office of Education are thus also directed toward the support of the program for the first time.

It appears to this committee that the bill will effectively advance two desirable objectives: the improvement of the health and well-being of the Nation's youth, and the assurance, both immediately and in the period of postwar reconversion, of a substantial market for agricultural production. In this latter objective the committee has in mind not only the maintenance of the present high level of production but the important consideration of a ready and socially desirable means of disposing of irregularly occurring commodity surpluses, a characteristic of agricultural production, which, if left uncontrolled on the market, disrupt the market and seriously injure the ordinary economic processes of pricing and distribution.

The experience of the Department of Agriculture in operating school-lunch programs provides a basis for judging the utility of the proposed legislation in accomplishing these objectives. As to the aspect of children's welfare all surveys point to the need for better nutrition for the Nation's children, and the effective manner in which the school-lunch program meets this need. Statistical surveys, including physical and mental tests conducted under controlled conditions, have shown, as indicated in appendix A, measurable benefit to the children when an adequate lunch is provided at school, not only in their physical development but in their educational progress. This improvement takes place on all income levels inasmuch as an adequate lunch at school or adequate nutrition is not necessarily assured by the higher income of the parents or the rise in the national income as a whole. The increase of working mothers, consolidation of schools, greater travel time to schools, and rising scale of food costs, together with fixed incomes for many large groups, make the school-lunch program, in which those who can pay are permitted to pay and those who cannot pay need not pay, the appropriate answer. It should be remembered that a child may be malnourished, yet not hungry.

The correlation between poor diet in childhood and rejections in the draft was strikingly demonstrated by the facts adduced by the Surgeon General of the United States which showed that 70 percent of the boys who had poor nutrition 10 to 12 years ago were rejected by the Selective Service.

The educational features of a properly chosen diet served at school should not be underemphasized. Not only is the child taught what a good diet consists of, but his parents and family likewise are indirectly instructed. This also has a direct connection with the second objective of the legislation, for the inculcation of good food habits in the youth of the Nation must soon show up in the Nation's food consumption and the American farmer cannot help but benefit. A relatively small expenditure made in this fashion, in connection with an educational program, will be reflected in greater agricultural consumption. The need for a permanent legislative basis for a school-lunch program, rather than operating it on a year-to-year basis, or one dependent solely on agricultural surpluses that for a child may be nutritionally unbalanced or nutritionally unattractive, has now become apparent. The expansion of the program has been hampered by lack of basic legislation. If there is an assurance of continuity over a period of years, the encouragement of State contribution and participation in the school-lunch program will be of great advantage in expanding the program.

With respect to the second objective of the legislation, the Federal Government has always had an active interest in providing markets for agricultural production and for maintaining agricultural production at a high level. Any measure that will expand the domestic consumption of agricultural production, both immediately and in the future, and assure a larger share of the national income to farmers, should receive support. With an established school lunch program, a means of disposal of surplus products is likewise available. It has been demonstrated time and again that price-destroying surpluses, even though of relatively small amount compared with the total production, must be disposed of if a fair price is to be maintained for the farmer.

Last October, a hurricane blew tremendous quantities of apples off the trees in the Northeastern States. Growers were faced with the prospect of a substantial loss. The War Food Administration purchased about 450,000 bushels of those apples to support the market and protect growers from what appeared to be an almost certain loss. Although school lunch programs were only beginning to get under way at the time, they absorbed half the apples purchased—apples that would surely otherwise have been wasted before they could have moved in the normal channels of trade.

Through the Steagall amendment (55 Stat. 498, 56 Stat. 768) the Federal Government is committed to a policy of supporting the prices of many agricultural commodities at 90 percent of parity for a period of 2 years after the end of the present conflict. With this in mind, it is our belief that community school-lunch programs have a very definite part in any postwar plans for helping to balance food production and consumption.

The bill is drafted in two titles. In title I the Secretary of Agriculture is empowered, out of funds appropriated pursuant to that title, to apportion moneys in accordance with a formula, among the States to pay for foods used in school-lunch programs. The Secretary is also empowered to purchase surplus agricultural commodities for distribution among the States and schools.

In title II the United States Commissioner of Education is empowered to apportion funds, according to the same formula, among

the several States which submit an approved plan for the establishment, maintenance, operation, and expansion of school-lunch programs.

A discussion of the various sections of the bill follows:

TITLE I

Section 101 authorizes the appropriation, for each fiscal year, of a sum not exceeding \$50,000,000 to enable the Secretary of Agriculture to carry out the provisions of title I. This is the same amount that has been made available to the Secretary in the Department of Agriculture Appropriation Act, 1946, to continue to carry out the school lunch program of the Department and by the terms of section 101 of this bill this appropriation is immediately made available to the Secretary for the purposes of this title.

Section 102 provides for the apportionment of these funds as follows:

(a) Not in excess of 2 percent of the total funds shall be expended by the Secretary directly for nonprofit child-care centers. Section 108 (c) specifies the conditions of such disbursement for nonprofit child-care centers.

(b) Not in excess of 75 percent of the total appropriation under this title, less the amount to be disbursed for nonprofit child-care centers, shall be apportioned among the States on the basis of two factors, viz, (1) the number of school children between the ages of 5 and 17, and (2) the relation of the per capita income in the United States as a whole to the per capita income of the State. The formula for the initial apportionment as set forth in this section is applied and the distribution among the several States, as determined for the fiscal year 1946, is shown in appendix B hereof. The total apportionment, including the amount disbursed to nonprofit child-care centers, to Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands shall not exceed \$1,500,000. The source of the figures for the number of school children in the States and per capita income figures are to be obtained from the Department of Commerce. "School" is defined as any public or nonprofit private school of high-school grade or under.

If any State does not utilize the funds apportioned, the Secretary shall reapportion this amount for use in the remaining States if these States can so utilize the moneys. Any additional funds available under this title may likewise be added to the apportionment to each State, if it can utilize the funds in accordance with this title.

Section 103 provides that the funds appropriated under this title remaining after apportionments under section 102 and deduction of not more than 3 percent of the funds appropriated for the Secretary's administrative expenses, shall be available to the Secretary for direct expenditure by him for agricultural commodities and other foods to be distributed among the States and schools participating in the school-lunch program under this title. In connection with the purchase and distribution of these commodities, the Secretary is authorized to use the funds made available by this section for purchasing, exchanging, processing, distributing, disposing, transporting, storing, and handling the commodities and for the purpose of paying inspection costs, commissions, and other incidental costs. These authorizations are the same as those provided in connection with the purchase and

disposition of surplus agricultural commodities under section 32 of the act approved August 24, 1935 (49 Stat. 774), and are incorporated here by reference.

Section 104 provides that the State educational agency shall disburse the funds apportioned to the State to assist schools in the State in supplying agricultural commodities and other foods for consumption by children in school lunches. The money shall be paid to the State and so disbursed by the State educational agency in accordance with agreements entered into by the Secretary and the State agency as authorized by the provisions of this title. Payments to the State are further conditioned by the State matching the grant during each year from sources within the State according to the following ratio:

Fiscal year 1946 and 1947, \$1 for \$1.

Fiscal year 1948, \$1 for \$2.

Fiscal year 1949 and 1950, \$1 for \$3.

Thereafter, \$1 for \$4.

The Secretary shall determine whether these matching funds have been expended by the State in connection with the school-lunch program under this title. The reasonable value of donated services, supplies, facilities, and equipment as well as proceeds from the sale of lunches as certified by the State educational agency may be regarded as funds from sources within the State. These matching provisions likewise apply in the case of schools receiving funds pursuant to section 108 (d) below.

If a State's per capita income is less than the per capita income of the United States, the matching requirement shall be decreased by the percentage which the State per capita income is below the per capita income of the United States.

Payment shall be on certification to the Secretary of the Treasury. The State agency is authorized to determine against which title of the act its matching funds may be applied, if the matching funds are insufficient to cover the matching funds required by both titles.

Section 105: The distribution of funds to the schools by the State agency shall be in accordance with agreements between the State and the school, and the Secretary shall have the right to approve these agreements. The State agency determines the eligibility of the participating school in the school-lunch program. Reimbursement to the school is solely for the cost of obtaining foods, but this cost may include processing, distributing, transporting, storing, or handling. Administrative, supervisory, or other services are excluded from these costs.

Section 106 establishes certain conditions to be complied with in the establishment of the school-lunch program, specifically:

(a) Lunches shall meet the nutritional requirements set by the Secretary.

(b) Lunches shall be served without cost or at a reduced cost to those children whom the school authorities determine are unable to pay full cost.

(c) There shall be no discrimination against any child because of inability to pay.

(d) The program shall be operated on a nonprofit basis.

(e) The school shall utilize as far as possible commodities specified as being in abundance or donated by the Secretary to schools.

The section also permits the Secretary to donate commodities purchased under the authority of section 32 of the act of August 24, 1935 (49 Stat. 774), to schools participating in the program, in accordance with the needs as determined by local school authorities, as well as to other schools and institutions now authorized to receive such commodities, thus recognizing such donations as proper dispositions of commodities so purchased. The bill provides that such donations may be made by the Secretary without the findings usually made in connection with section 32 dispositions, such as diversion from the normal channels of trade and commerce, etc.

Section 107: In carrying out provisions of the title, neither the Secretary nor the State shall impose any requirement with respect to administration, teaching personnel, curriculum, instruction, methods of instruction, or materials of instruction of any school.

Section 108 (a) contains the record-keeping requirement imposed on the State educational agency and schools, and permits the Secretary to inspect and audit these records.

Section 108 (b) directs the Secretary to incorporate in his agreement with the State educational agency the express requirements of this title and such other provisions as in his opinion are necessary to effectuate the purposes of this title. Inasmuch as in an operating program many conditions arise which cannot be foreseen and which must be altered in different States, it is not possible to set forth in the act all conditions that must be imposed in the operation of the program. The Secretary will therefore determine what is necessary to effectuate the purposes of the act in the individual contracts with the States.

Section 108 (c) contains the definition of the term "State educational agency." This definition provides that for the period ending June 30, 1947, the State educational agency may mean any agency designated by the governor of the State to carry out the functions of title I. Inasmuch as some State departments of education are not now in a position to assume the responsibilities of title I, the period between July 1, 1945, and June 30, 1947, should give the State legislators the opportunity to enact such legislation as may be necessary to enable an appropriate State agency to receive and distribute funds, and to appropriate sufficient money for administrative expenses of the State departments. During the 2-year period the governor may designate any other State agency or any agencies within the State to carry out the State's responsibilities under the title.

Section 108 (d): In most of the States constitutional or statutory provisions prohibit State educational agencies from distributing Federal funds or matching Federal funds for distribution to private schools. In such instances the Secretary is authorized to withhold the proper proportion of Federal funds and expend these funds directly to non-profit private schools subject to the same general conditions and matching requirements as in the State expenditures to public schools. If the State agency can expend the money for nonprofit private schools, all the funds will be paid to the State agency.

Section 108 (e) provides for the disbursement of funds to nonprofit child care centers. Such funds are to be disbursed directly to nonprofit child care centers for the purposes and subject to the same conditions, except the requirements as to the method of apportionment, set

forth in section 102, as are authorized or required with regard to disbursements to schools. Any such payment or payments shall be matched in the same proportion specified in section 104, for the respective State, for such year by funds from sources within the State expended by nonprofit child care centers within the State participating in the school-lunch program. The agencies, organizations, or institutions which may qualify as nonprofit child care centers under this section, and thereby receive funds for a lunch program operated not for profit, are nonprofit community centers, settlement houses, children's homes, child aid centers, child day-care centers, playgrounds, boys' or girls' clubs, summer camps, or similar centers, institutions, or organizations devoted to the care and training of children; but the term "nonprofit child care center" does not include an orphanage, children's home, boarding school, or similar institution where the institution is obligated to take complete care of the child over an extended period. The funds which constitute matching funds for nonprofit child care centers cannot, of course, be considered as a part of the funds, from sources within the State, constituting the matching funds of public schools or nonprofit private schools in that State.

TITLE II

Section 201 authorizes for each fiscal year the appropriation of such sums as may be necessary, not exceeding \$15,000,000, to enable the United States Commissioner of Education to carry out the provisions of title II.

Section 202 specifies the method of apportionment and payment to the States of the funds appropriated under title II. The Commissioner may, however, use as much as \$175,000 of the funds under title II to defray his expenses in performing his functions under that title. The apportionment to the States shall be made in accordance with the provisions of section 102 governing the apportionment of funds to the States under title I, but a State shall receive not less than \$10,000. The apportionment of funds under title II for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands shall not exceed \$450,000. The funds paid to any State under this title shall be used by the State educational agency, either directly or through grants to schools and school systems, to establish, maintain, operate and expand school-lunch programs, to provide related nutrition education, and to provide and train technical and supervisory personnel and to provide equipment and facilities for such programs. Funds under title II cannot, however, be used for the acquisition, construction or alteration of buildings, or for the purchase of land or food.

The funds paid to any State under title II may be paid to the State only upon condition that such funds will be matched during the respective year, in the proportion specified in section 104 for such State for that year by expenditures from sources within the State which are either expenditures specified in section 104 (a) or expenditures for the purposes for which funds paid to the State under this title may be used, not counting funds excluded from section 104 by the last sentence of section 108 (d) and expenditures which the State educational agency has applied against the matching requirements of section 104. The funds may be paid to the State in quarterly installments.

Section 203 specifies the provisions (hereinafter briefly summarized) which shall be included in any "State plan" for the administration of the school-lunch programs, and the Commissioner is required to approve any State plan which, as determined by the Commissioner, complies with the provisions of this section. The plan shall be administered or supervised by the State educational agency. The funds paid under title II to the State shall be used only for carrying out the purposes of section 202 (b). The amount of such funds expended, during any fiscal year, for administration and supervision by the State educational agency, shall not exceed 15 percent of the funds apportioned to that State for such year under title II. The distribution of funds under title II or equipment purchased with such funds may be made only to public schools and school systems of high-school grade or under. In some States, however, some nonprofit private schools of high-school grade or under receive public funds from the State; and therefore it is provided that such nonprofit private schools of high-school grade or under shall be included along with public schools in receiving funds under title II. Nonprofit private schools which do not receive public funds from the State cannot share in the school-lunch program under title II. The distribution of funds or equipment under title II shall be made only to schools, as aforesaid, which undertake to furnish school lunches under agreements pursuant to title I, or which satisfy the State educational agency that they will furnish school lunches on a nonprofit basis and in accordance with standards consistent with the standards established by the United States Department of Agriculture for nutritional adequacy of the school lunch. Lunches shall be served without cost, or at a reduced cost, to those children whom the local school authorities determine are unable to pay the full cost. There shall be no segregation or discrimination against any child because of his inability to pay. Such reports shall be submitted as the Commissioner may require.

Section 204 provides for action by the Commissioner with respect to the failure of the State to comply substantially with the State plan specified in section 203. Notice and opportunity for hearing are provided for. If the Commissioner finds, after the hearing, that there is a failure to comply substantially with the plan or any provision in it, the State agency shall be notified that it will receive no further payment under title II until the Commissioner is satisfied that there is no longer any failure by the State agency to comply, and until the Commissioner is satisfied, as aforesaid, there shall be no further certification for payment to such State. There is a right of appeal, within 30 days, from the decision of the Commissioner to withhold funds, to the United States district court, and such court shall have jurisdiction de novo as to both fact and law.

Section 205 authorizes the Commissioner to take all necessary measures to facilitate the performing of his functions under title II.

Section 206 contains certain definitions of "State," "State educational agency," and "nonprofit private school." The term "nonprofit private school" has the same meaning in title II as is given to that term in title I and it includes any private school exempt from income tax under section 101 (6) of the Internal Revenue Act, as amended.

SCHOOL LUNCH PROGRAM

9

EXHIBIT A.—War Food Administration, Commodity Credit Corporation (OS)

EFFECT OF SCHOOL LUNCH UPON SCHOLASTIC STATUS, CAMDEN, MO.

	Scholastic grade points ¹			Percent change
	Without lunch, 1938-39	Without lunch, 1939-40	With lunch, 1939-40	
Group I (52 children)	1,056	1,055	-----	-0.09
Group II (75 children)	1,614	-----	1,763	9.23

EFFECT OF SCHOOL LUNCH UPON ATTENDANCE, CAMDEN, MO.

	Percent daily attendance of enrollment			Gain in percent attendance
	Without lunch, 1938-39	Without lunch, 1939-40	With lunch, 1939-40	
Group I (10 schools)	69.18	70.54	-----	1.36
Group II (10 schools)	79.99	-----	84.34	13.35

EFFECT OF SCHOOL LUNCH UPON WEIGHT GAIN, CRESTLINE, OHIO

Grade	Average gain in pounds		Percent increase in weight gain
	Without lunch, 1942-43	With lunch, 1943-44	
I.....	5.15	6.57	27.6
II.....	2.45	4.96	102.4
III.....	1.80	2.43	35.0
IV.....	3.00	6.10	103.3
V.....	3.80	7.06	85.8

¹ A system of grade points was used in determining scholarship. An excellent mark was given 4 points; superior, 3; average, 2; poor, 1; failure, 0.

EXHIBIT B.—War Food Administration, Commodity Credit Corporation, Office of Supply

ALLOCATION OF SCHOOL LUNCH FUNDS WITH APPORTIONMENT BASED ON FORMULA IN PROPOSED SCHOOL LUNCH BILL

Region and State	Proposed apportionment ¹	Amount matching required ²	Region and State	Proposed apportionment ¹	Amount matching required ²
Northeast.....	\$7,769,200	\$7,453,900	Southern.....	\$11,082,300	\$6,535,200
Connecticut.....	243,200	243,200	Alabama.....	1,441,700	609,400
Delaware.....	42,300	42,300	Florida.....	553,400	469,300
District of Columbia.....	91,700	91,700	Georgia.....	1,367,700	858,900
Maine.....	204,500	204,500	Kentucky.....	1,321,800	781,200
Maryland.....	370,100	370,100	Mississippi.....	1,410,000	661,300
Massachusetts.....	775,500	775,500	North Carolina.....	1,787,100	1,072,300
New Hampshire.....	134,000	107,500	South Carolina.....	1,061,000	593,100
New Jersey.....	683,900	683,900	Tennessee.....	1,272,500	800,400
New York.....	1,907,000	1,907,000	Virginia.....	867,100	689,300
Pennsylvania.....	2,277,100	2,277,100	Midwest.....	8,209,900	7,875,500
Rhode Island.....	116,300	116,300	Illinois.....	1,357,100	1,357,100
Vermont.....	95,200	82,300	Indiana.....	754,400	754,400
West Virginia.....	828,400	552,500			

¹ Basis of apportionment is on number of children, 5 to 17 years, inclusive, and relation of the per capita income in the United States to the per capita income in the State.

² Each dollar of Federal payments must be matched by \$1 from sources within the State except in the case of any State whose per capita income is less than the per capita income of the United States, the matching required shall be decreased by the percentage which the State per capita income is below the per capita income of the United States.

EXHIBIT B.—*War Food Administration, Commodity Credit Corporation, Office of Supply—Continued*

Region and State	Proposed apportionment	Amount matching required	Region and State	Proposed apportionment	Amount matching required
Midwest—Continued.			Southwest—Continued.		
Iowa.....	\$602,800	\$574,500	Oklahoma.....	\$853,100	\$603,100
Michigan.....	1,050,500	1,050,500	Texas.....	2,153,700	1,707,900
Minnesota.....	726,200	644,900			
Missouri.....	980,000	851,600	Western.....	2,185,500	2,124,200
Nebraska.....	331,400	301,200			
North Dakota.....	183,300	172,700	Arizona.....	186,800	145,900
Ohio.....	1,276,000	1,276,000	California.....	997,500	997,500
South Dakota.....	197,400	162,100	Idaho.....	141,000	130,600
Wisconsin.....	750,800	730,500	Montana.....	130,400	130,100
			Nevada.....	21,200	21,200
Southwest.....	6,003,100	4,342,200	Oregon.....	186,800	186,800
			Utah.....	162,200	158,800
Arkansas.....	1,103,300	548,300	Washington.....	289,100	289,100
Colorado.....	285,500	262,900	Wyoming.....	70,500	64,200
Kansas.....	430,100	418,500			
Louisiana.....	923,600	640,100	Total.....	\$35,250,000	28,331,000
New Mexico.....	253,800	161,400			

² \$1,000,000 of \$50,000,000 appropriation withheld for nonprofit child care centers. 3 percent set aside for administrative costs and 22 percent for direct purchase of commodities. \$1,500,000 set aside to be apportioned among Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands.

OFFICE OF BUDGET AND FINANCE
Legislative Reports and Service Section

79th-1st, No. 121

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued June 20, 1945, for actions of Tuesday, June 19, 1945)

(For staff of the Department only)

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HIGHLIGHTS: House conferees on pay bill appointed. House passed bills discontinuing AAA, FS, and condition-of-work reports and to repeal limitation on effectiveness of hops-marketing order. Judge Jones' and Grover B. Hill's service in war-food program commended. Rural telephone bill introduced in House. Passed over Wickard's nomination. House committee reported price-control measure. Senate debated trade-agreements bill.

HOUSE

1. PAY BILL. Reps. Ramspeck, Randolph, Jackson, Rees of Kans., and Vursell were appointed conferees on S. 807, the pay bill (p. 6390). Senate conferees were appointed June 15.
2. REPORTS. Passed with amendment H.R. 2504, to discontinue certain reports now required by law (includes AAA, FS, and condition-of-work reports) (pp. 6393-5).
3. SCHOOL-LUNCH PROGRAM. At the request of Rep. Cole, N.Y., passed over H.R.3370, the Flannagan school-lunch bill (p. 6398). Rep. Cole stated that "the amount of money involved in this bill appears to be entirely too large to justify its consideration on the Consent Calendar!" (For provisions see Digest 112.)
4. RECLAMATION; VETERANS. At the request of Rep. Murdock, Ariz., passed over H.R. 520, to facilitate the settlement of returning veterans and others on farms in reclamation projects (p. 6401). (For provisions see Digest 112.)(See also Item 36.)
5. FOOD ADMINISTRATION. Rep. Worley, Tex., commended Judge Jones and Grover B. Hill's service in the war-food program (p. 6416).
6. PRICE CONTROL; RATIONING. Banking and Currency Committee reported with amendment H.J.Res. 101, extending the Price Control and Stabilization Act (H.Rept. 764) (p. 6431).
Rules Committee reported a resolution for consideration of this measure (p. 6431).
7. FOOD AND DRUGS. Passed as reported H.R.3266, to amend the Federal Food, Drug, and

Cosmetic Act by providing for the certification of batches of drugs composed wholly or partly of any kind of penicillin or any derivative thereof (p.6402).

8. FEDERAL-EMPLOYEES' HEALTH. At the request of Rep. Kean, N.J., passed over H.R. 2716, to provide for health programs for Government employees (p. 6395).
9. RECLAMATION. Passed without amendment S. 118, authorizing the Secretary of the Interior to convey certain land on the Gila reclamation project to the University of Arizona for experimental agricultural research activities (pp. 6395-6). This bill will now be sent to the President.
10. IRRIGATION. Discussed, and at the request of Rep. Cole, N.Y., passed over H.R. 3288, to amend the San Carlos Act so as to provide that the construction charges on account of non-Indian lands in the project shall be repaid in variable annual payments (pp. 6400-1).
11. PROPERTY REQUISITION. Passed without amendment H.R.3232, and H.R.3234, the property requisition acts (pp. 6407-9).
12. EXPORTS. Passed without amendment H.R.2944, to continue until June 30, 1946, the act authorizing export control of commodities, including agricultural products (pp. 6406-7). Rejected, 122-188, Rep. Harness' (Ind.) amendment to strike out June 30, 1946 and to insert Dec. 31, 1945.
13. RESEARCH. Passed without amendment H.R.3440, authorizing appropriations for a permanent program of scientific research in the interest of national security (pp. 6417-27).
14. PUBLIC LANDS. Agriculture Committee reported without amendment S. 660, to transfer certain lands situated in Rapides Parish, La., to the board of supervisors of La. State University and Agricultural and Mechanical College (H.Rept. 762) (p. 6431).
15. HOUSING. Passed without amendment H.R.3278, to increase the appropriation authorization for war housing by \$30,000,000 (pp. 6428-30).
16. HOPS MARKETING. Passed without amendment S. 427, to repeal that provision of the Agricultural Marketing Act which limits to Sept. 1, 1945, the effectiveness of a hops-marketing order (p. 6396). This bill will now be sent to the President.
17. GRANTS-IN-AID. Passed over, on objection of Rep. Sparkman, Ala., H.R.3321, to provide for State inspection of federally-distributed grant-in-aid materials, etc. (p. 6397).
18. D. C. APPROPRIATION BILL, 1946. Received the conference report on this bill, H. R. 3306 (p. 6390). (For items of interest see Digest 116.)
19. POSTAL RATES. Passed without amendment H.J. Res. 184, to continue the temporary increases in postal rates on first-class matter (p. 6391).
Passed over, upon objection of Rep. Madden, Ind., H.R. 3238, readjusting the rates of postage on catalogs and other fourth-class matter (p. 6396).
20. PRESIDENTIAL SUCCESSION. Both Houses received the President's letter urging early consideration of legislation placing the Speaker of the House first in order of succession in case of the removal, death, resignation, or inability to act of the President and Vice President (pp. 6392-3, 6382-3).

poses, and parcel 3 to be held, used, and maintained as an ornamental park. The three parcels of land are situated in Springfield Township, Montgomery County, Pa., and bounded and described in accordance with a plan and survey thereof prepared for Springfield Township by David W. Bainbridge, registered professional engineer, January 18, 1940, and approved by the Board of Commissioners of Springfield Township, January 22, 1940, as follows to wit:

Parcel 1: Beginning at the point of intersection of the northeasterly line of East Lane (40 feet wide) as opened by the court of quarter sessions of Montgomery County, Pa., in October 1922, with the southeasterly line of Mermaid Avenue (33 feet wide) as opened by the said court of quarter sessions in October 1887; thence extending along the said southeasterly line of Mermaid Avenue north thirty-seven degrees nine minutes thirty seconds east two hundred and four and thirty-five one-hundredths feet to an angle; thence continuing along the said southeasterly line of Mermaid Avenue north twelve degrees forty-nine minutes east one hundred and sixty-five and fifteen one-hundredths feet to an angle, a point in the southeasterly line of Mermaid Avenue as opened by the said court of quarter sessions in December 1899; thence north thirty-seven degrees thirty-six minutes east forty and fifty-six one-hundredths feet to the point of intersection with the southeasterly line of Mermaid Avenue as it is proposed to be widened to fifty feet; thence south twelve degrees forty-nine minutes west one hundred and eighty-five and one one-hundredths feet to an angle; thence south thirty-seven degrees nine minutes thirty seconds west two hundred and thirteen and seventy one-hundredths feet to a point of curve; thence extending southwardly and southeastwardly on a curve to the left having a radius of eight feet the arc distance of twelve and sixty-two one-hundredths feet to a point; thence south thirty-six degrees forty-seven minutes thirty seconds west five feet to a point in the aforementioned northeasterly line of East Lane; thence north fifty-three degrees twelve minutes thirty seconds west sixteen and fifty-eight one-hundredths feet to the first-mentioned point and place of beginning.

Parcel 2: Beginning at a point on the southwesterly line of Mermaid Avenue south fifty-two degrees twelve minutes thirty seconds east one hundred and thirty-three and seventy-one one-hundredths feet distant from the angle point of the southeasterly and southwesterly lines of Mermaid Avenue as opened by the court of quarter sessions of Montgomery County, Pa., in December 1899, where the said highway is in juxtaposition to Flourtown Avenue (formerly known as Apple Street) northwest thereof; thence south fifty-two degrees twelve minutes thirty seconds east eighty and thirty-one one-hundredths feet to a point; thence south seventy-six degrees nine minutes thirty seconds west three hundred and eighteen and eighteen one-hundredths feet to a point of curve; thence continuing southwestwardly on a curve to the left having a radius of seventy-two feet the arc distance of forty-eight and forty-five one-hundredths feet to a point on the southeasterly line of Mermaid Avenue; thence extending along the southeasterly line of Mermaid Avenue north thirty-seven degrees thirty-six minutes east one hundred and twenty-eight and twenty-seven one-hundredths feet to a point of curve; thence southwardly and southeastwardly on a converse curve to the right having a radius of eight feet the arc distance of nineteen and seventy-five one-hundredths feet to a point; thence extending along the northwesterly line of the proposed relocation of Mermaid Avenue north seventy-six degrees nine minutes thirty seconds east two hundred and one and sixty-five one-hun-

dredths feet to a point of curve; thence continuing northwardly and northwestwardly on a curve to the left having a radius of eight feet the arc distance of seventeen and ninety-two one-hundredths feet to the first-mentioned point and place of beginning.

Parcel 3: Beginning at the angle point of the southeasterly and southwesterly lines of Mermaid Avenue as opened by the court of quarter sessions of Montgomery County, Pa., in December 1899, where the said highway is in juxtaposition to Flourtown Avenue (formerly known as Apple Street) northwest thereof; thence extending along the said southwesterly line of Mermaid Avenue south fifty-two degrees twelve minutes thirty seconds east one hundred and thirty-three and seventy-one one-hundredths feet to a point of curve; thence extending southwardly and southwestwardly on a curve to the right having a radius of eight feet the arc distance of seventeen and ninety-two one-hundredths feet to a point; thence extending along the northwesterly line of the proposed relocation of Mermaid Avenue south seventy-six degrees nine minutes thirty seconds west two hundred and one and sixty-five one-hundredths feet to a point of curve; thence extending westwardly and northwestwardly on a curve to the right having a radius of eight feet and the arc distance of nineteen and seventy-five one-hundredths feet to a point on the southeasterly line of Mermaid Avenue; thence extending along the said southeasterly line of Mermaid Avenue north thirty-seven degrees thirty-six minutes east one hundred and sixty-six and fourteen one-hundredths feet to the first-mentioned point and place of beginning.

The land in parcel 3 is to be granted and conveyed subject to the conditions that Springfield Township, Montgomery County, Pa., shall accept and use such land solely for ornamental-park purposes; that the area shall not be used as a building site; and that if such township shall at any time cease to use such land for ornamental-park purposes, or shall permit the use of such land for any other purposes, or shall alienate, or attempt to alienate the land, the land shall revert to the United States of America.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPLIANCE WITH STATE INSPECTION LAWS

The Clerk called the bill (H. R. 3321) to provide that the several States shall continue effective measures of control and protection against the importation, introduction, and spread of noxious weeds, injurious insects, and animal and plant diseases, and to guarantee that purchasers or recipients of seeds, livestock, and poultry feeds, nursery stocks, fertilizers, and other agricultural chemicals shall have the protection guaranteed them under the laws enacted by the several States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

MOTHERS OF WORLD WAR II

The Clerk called the bill (H. R. 2538) to incorporate The Mothers of World War No. 2, to set forth and establish the pur-

poses and aims of the organization, fixing its corporate powers and establishing the rights of membership, and for other purposes.

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That the following persons, namely: Mrs. Gretta Roush, founder, Indianapolis, Ind.; Mrs. Ruby Dinwoodie, Gary, Ind.; Mrs. Cora Maybaum, Gary, Ind.; Mrs. Ethel Martin, Gary, Ind.; Mrs. Robert Usher, Gary, Ind.; Mrs. J. W. Whitlow, Gary, Ind.; Mrs. Bernice Kewley, Geneseo, Ill.; Mrs. Reta McDonald, Elkhart, Ind.; Mrs. John Lind, Milwaukee, Wisc.; Mrs. W. B. Jones, St. Joseph, Mich.; Mrs. Marian Scott, Wellston, Ohio; Mrs. Lolo M. Agal, Bellflower, Calif.; Mrs. Gertrude Warrick, Valentine, Nebr.; Mrs. B. F. Kinman, Williamstown, Ky.; Mrs. Bertha Glow, Kahoka, Mo.; Mrs. Georgia Kellogg, Hutchinson, Kans.; Mrs. Norah Blakely, Wichita, Tex.; Mrs. Edith Sessions, St. Petersburg, Fla.; Mrs. Nellie Jackson, Toledo, Oreg.; Mrs. Emily Ensley, Phillipsburg, N. J.; Mrs. Irene Webb, Wilmington, Del.; Mrs. Angeline Johnson, Monmouth, Iowa; Mrs. Hannah Rawling, Worcester, Mass.; and Mrs. Vivian Fitch, Syracuse, N. Y.; and their associates and successors duly chosen are hereby incorporated and declared to be a body corporate as a national association of women who are the mothers of the men and women who have served, are serving, or will serve in the Army, Navy, or Marine Corps or any auxiliary or branch thereof during World War Number Two, by and under the name of The Mothers of World War Number Two, and by such name shall be known and have perpetual succession with the powers, limitations, and restrictions herein contained.

SEC. 2. The persons named in section 1 of this act, and such other persons as may be selected from among the membership of The Mothers of World War No. 2, an association of women whose sons and daughters served the Allied cause in the Great World War II between the dates of December 7, 1941 and the termination of such war, are hereby authorized to meet and complete the organization of said corporation by the selection of officers, the adoption of a constitution and bylaws, and to do all other things necessary to carry into effect the provisions hereof, at which meeting any person duly accredited as a delegate from any local or State organization of the existing organization known as the Mothers of World War No. 2 shall be permitted to participate in the proceeding thereof.

SEC. 3. The objects and purposes of this corporation shall be as follows:

(a) To perpetuate and keep alive the spirit that prompted our boys and girls to render world service in World War II.

(b) To maintain the ties of fellowship born of that service and to assist and further patriotic work in our country.

(c) To unite fraternally all mothers who have, or have had, or may have, sons or daughters in the service of the military or naval forces of the United States, or its allies, during World War II, who have the will and desire to work with and for those sons and daughters in maintaining both morale and courage, and to aid in fostering and perpetuating the American way of life.

(d) To aid and assist in teaching the advantages of freedom of religion, freedom of speech, and the duties and obligations of citizenship.

(e) To inculcate a sense of individual obligation to the community, State, and Nation.

(f) To aid and assist all those who have suffered injury or disability during World War II, and all wars, and their dependents, and to perpetuate the memory of those whose lives have been sacrificed in war service.

(g) To foster and promote good will and understanding among the nations of the world.

(h) To maintain true allegiance to the United States of America.

SEC. 4. The corporation shall hold its meetings at such time and place as the incorporators or their successors shall determine.

SEC. 5. The corporation hereby created shall have the following powers: To have succession until the membership, as herein-after provided, shall become extinct, with power to sue and be sued in courts of law and equity; to receive, own, hold, use, and dispose of such real estate and personal property as shall be necessary for its corporate purposes; to adopt a corporate seal and alter the same at its pleasure; to adopt a constitution, bylaws, and regulations to carry out its purposes, not inconsistent with the laws of the United States or of any State; to use in carrying out the purposes of the corporation such badges and emblems as it may adopt; to establish and maintain offices for the conduct of its business; to establish State, Territorial, and local subdivisions if it so elects; to publish a magazine or other publications, and generally to do any and all such acts and things as may be proper and necessary to carry into effect the purposes of the corporation.

SEC. 6. All of the real and personal property and funds of the corporation held or used for the purposes hereof, pursuant to the provisions of the act, shall, so long as the same is so used, be exempt from taxes by the United States or any Territory or District thereof. This corporation shall not accept, own, or hold, directly or indirectly, any property, real or personal, except such as may be reasonably necessary for carrying out the purpose of its creation.

SEC. 7. The membership in this organization is limited to women, and no woman shall be or become a member of this corporation unless she is a citizen of the United States, and unless her son or sons, or daughter or daughters of her blood, or that she stand in the relation of a stepmother to those who serve in this war, or that she is a foster mother, after legal adoption, of a son or daughter, who served in the Army, Navy, or Marine Corps of the United States, or some auxiliary or branch thereof, or in the military or naval service of its allies, during the Great World War II, at some period between the 7th day of December 1941, and the date of the termination of such war, both dates inclusive, he or she having an honorable discharge from such service, or who is still in the service.

SEC. 8. This organization shall be nonpolitical, and as an organization it shall not promote the candidacy of any person seeking public office.

SEC. 9. The corporation shall, on or before the 1st day of January in each year, make and transmit to the Congress a report of its proceedings for the preceding calendar year, including a full and complete report of its receipts and expenditures. Said report shall not be printed as a public document.

SEC. 10. As a condition precedent to the exercise of any power or privilege herein granted or conferred, the corporation shall file in the office of the secretary of each State the name and post-office address of an authorized agent in such State upon whom local process or demands against The Mothers of World War Number Two may be served.

SEC. 11. This charter shall take effect upon its being accepted by a majority vote of the incorporators named herein, who shall be present at the first meeting of the corporation, due notice of which meeting shall be given to each of the incorporators named herein, and a notice of such acceptance shall be given by said corporation, causing a certificate to that effect, signed by the president and secretary, to be filed with the Clerk of the House of Representatives, in the city of Washington, D. C.

SEC. 12. Congress may from time to time alter, repeal, or modify any and all laws with respect to this incorporation, but no contract or individual right made or acquired shall thereby be divested or impaired.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SCHOOL-LUNCH PROGRAM

The Clerk called the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, reserving the right to object, the amount of money involved in this bill appears to be entirely too large to justify its consideration on the Consent Calendar.

I therefore ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CONVEYANCE OF CERTAIN LAND TO THE CAPTAIN WILLIAM EDMISTON CHAPTER OF THE DAR

The Clerk called the bill (H. R. 1647) to authorize the Secretary of War to convey to the Captain William Edmiston Chapter of the Daughters of the American Revolution a certain building and tract or parcel of land situated in Montgomery County, Tenn.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, reserving the right to object, I notice that in this bill there is no reversion to the United States if the property is not continually used for the purpose for which it was intended. Does not the gentleman think that the usual provision should be in the bill?

Mr. COURTNEY. May I say to the gentleman that this is a very small tract of land, about a quarter of an acre, with a building on it which is the oldest building in the county. It is to be used as a museum by this patriotic society. The War Department reports that the value of it is not more than \$100.

Mr. KEAN. I suppose if it is only worth \$100, it is not worth taking the time of the House to put in this provision.

I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to grant, donate, and convey to the Captain William Edmiston Chapter of the Daughters of the American Revolution all right, title, and interest of the United States in and to that certain building and tract or parcel of land lying and being situated in the county of Montgomery, in the State of Tennessee, which is more particularly described as follows: Beginning at the intersection of United States Numbered 41W and the State line road, said point being the point of beginning of three hundred and fifteen and seventy nine-one hundredths acre tract as conveyed to R. E. Durrett et ux as recorded in DB 72

and 78, pages 39 and 497, respectively, in the records of Montgomery County, Tenn., thence with United States Numbered 41W north twenty-three degrees thirty minutes west a distance of two hundred and forty-one and eight-tenths feet to the point of beginning of tract described herein, thence south sixty-nine degrees no minutes west one hundred feet to a stake; thence north twenty-three degrees thirty minutes west one hundred feet to a stake; thence north sixty-nine degrees no minutes east one hundred feet to a point in the center line of United States Numbered 41W; thence with center line of said road south twenty-three degrees thirty minutes east one hundred feet to the point of beginning, containing two hundred and twenty-nine one-thousandths of an acre, and having located thereon one two-room brick structure. Being a part of the same tract as conveyed by R. E. Durrett et ux, to the United States of America as recorded in DB 89, page 1, in the records of Montgomery County, Tenn.

With the following committee amendment:

Page 2, line 2, strike out all down to and including the word "Tennessee" in line 24, and insert "being a part of the same tract as conveyed by R. E. Durrett and wife, to the United States of America as recorded in deed book 89, page 1, in the records of Montgomery County, Tenn."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECOGNITION TO THE MEDICAL CORPS OF THE ARMY

The Clerk called the bill (H. R. 2477) to give recognition to the noncombatant services under enemy fire performed by officers and enlisted men of the Medical Corps of the Army.

The SPEAKER. Is their objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, I reserve the right to object for the purpose of asking some member of the Committee on Military Affairs to explain this bill, which appears to me to be entirely worthy but one in which I am sure the entire membership is interested and would like to have a full understanding. I yield to the gentleman from Indiana [Mr. HARNESS].

Mr. HARNESS of Indiana. Mr. Speaker, this bill would place those men serving in the Medical Corps of the Army in the front line with the infantry troops on a par, as far as pay is concerned, with the infantryman, by giving the man additional \$10 per month bonus for that service. The War Department has already awarded those men a distinctive badge that is similar to the badge which the infantrymen receive as expert infantrymen. This legislation therefore rewards and recognizes medical-aid men of the Medical Corps in the same manner that the infantrymen has been recognized.

Mr. COLE of New York. Would the gentleman care to explain why it is necessary to put these medical men on a par with the infantrymen?

Mr. HARNESS of Indiana. Because we felt those men who were serving right in the front line as first-aid men were entitled to recognition. As a matter of

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued July 30, 1945, for actions of Saturday, July 28, 1945)

(For staff of the Department only)

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HIGHLIGHTS: Sen. Stewart introduced a bill to transfer to the Secretary of Agriculture control over and responsibility for price control and rationing of food and feed. Sen. McKellar discussed and inserted tables on appropriations since 1939. Senate committee reported school-lunch bill. Senate ratified United Nations Charter. Rep. Robsion criticized the extent of lend-lease of food, clothing, etc.

SENATE

1. SCHOOL-LUNCH PROGRAM. Agriculture and Forestry Committee reported with amendments S. 962, to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs (S. Rept. 553) (p.8276).
2. TRANSPORTATION; LAND GRANTS. Interstate Commerce committee reported with amendment H.R. 694, to amend the Transportation Act to remove the statutory obligation to transport military and naval traffic over land-grant railroads at 50% of their established tariff charges for such transportation (S. Rept. 552) (p. 8276).
3. RESEARCH. Naval Affairs Committee reported with amendments S. 825, to establish a National Research Board for purposes of national security (S. Rept. 551) (p. 8276).
4. APPROPRIATIONS. Sen. McKellar, Tenn., inserted and discussed tabulations on the various appropriations made by Congress since 1939 (pp. 8333-41).
5. FOOD DISTRIBUTION; PRICE CONTROL; RATIONING. Sen. Morse, Oreg., urged an investigation of the OPA and inserted sundry statements on the subject (pp.8280-2).
6. RECLAMATION; ELECTRIFICATION. Received Irrigation and Reclamation Committee's report pursuant to S. Res. 31 on the development of irrigation and hydroelectric power projects (S. Rept. 555) (pp. 8276-9).
7. UNITED NATIONS CHARTER. Agreed (89-2) to the ratification of this charter (pp. 8275, 8276, 8282-4, 8292-329).
8. ADJOURNED until Wed., Aug. 1 (p. 8343).

BILLS INTRODUCED

9. PERSONNEL. S. 1325, by Sen. Fulbright, Ark. (for himself and Sen. Thomas, Utah) to amend "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties." To Education and Labor Committee. (p. 8279.)
10. FOOD DISTRIBUTION; PRICE CONTROL; RATIONING. S. 1326, by Sen. Stewart, Tenn., to transfer to the Secretary of Agriculture control over and responsibility for price control and rationing for food and feed. To Banking and Currency Committee. (p. 8279.)
11. HOUSING. S. 1328, by Sen. Radcliffe, Md., to amend the act "to expedite the provision of housing in connection with national defense." To Education and Labor Committee. (p. 8279.)
12. PERSONNEL; LEAVE. S. 1332, by Sen. Langer, N. Dak., to provide maternity leave for Government employees. To Civil Service Committee. (p. 8279.)
13. PERSONNEL; BONDING. S. 1333, by Sen. Langer, N. Dak., to provide for bonding of Government officials and to establish a Federal fidelity trust fund. To Education and Labor Committee. (p. 8279.)
14. BANKING AND CURRENCY. S. 1334, by Sen. Langer, N. Dak., to provide for the establishment of a Bank of the United States. To Banking and Currency Committee. (p. 8279.)
15. ST. LAWRENCE PROJECT. S. 1331, by Sen. Langer, to provide for approval of this project. Ordered to lie on the table. (p. 8279.)

ITEMS IN APPENDIX

16. LEND-LEASE. Extension of remarks of Rep. Robsion, Ky., criticizing the extent of lend-lease of food, clothing, etc. (pp. A3961-3).
17. FARM SECURITY. Sen. Briggs, Mo., inserted H.E. Klinefelter's Missouri Farmer article in which he described the benefits derived by the Mo. Farmers' Association from FSA (pp. A3941-2).
18. FOREIGN RELIEF. Sen. Briggs, Mo., inserted two articles favoring relief (including food) for our allies and the world organization (p. A3945).
19. REGIONAL AUTHORITY. Sen. Taylor, Idaho, inserted several articles on the "Washington Water Lobby" which trying to defeat the various regional authority projects (pp. A3946-7).
Sen. Mitchell, Wash., inserted several articles favoring the Columbia Valley project (pp. A3963-5).

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For supplemental information and copies of legislative material referred to, call Ext. 4654, or send to Room 112, Admin. Bldg. Arrangements may be made to be kept advised, routinely, of developments on any particular bill.

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COMMITTEE HEARING ANNOUNCEMENT For July 28: S. Banking and Currency, full employment bill.



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PROCEEDINGS AND DEBATES OF THE 79th CONGRESS, FIRST SESSION

Vol. 91

WASHINGTON, SATURDAY, JULY 28, 1945

No. 152

House of Representatives

The House was not in session today. Its next meeting will be held on Monday, October 8, 1945, at 12 o'clock noon.

Senate

SATURDAY, JULY 28, 1945

(Legislative day of Monday, July 9, 1945)

The Senate met in executive session at 10 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty God, Father of all mercies, Judge of all men, with a strange sense of awe in our hearts, we bow this day at our altar of prayer with the solemn realization that once to every man and nation comes the moment to decide where shall be thrown the stubborn ounces of our strength in the eternal conflict between wild beasts and angels. O God, before whom the long travail of the changing centuries is wrought, and who hast ushered us into this strange world where no good thing comes save as we fulfill the conditions of its coming, gird us with Thy enabling might that, forgetting the things that are behind and laying aside every weight of doubt and despair, we may give the best that is in us to the high enterprise of laying the foundations of a noble peace and of a more decent world as the dwelling place of all Thy children. Under the old order of strife we have learned how to destroy ourselves. Under a new charter of mutual aid and tolerance of diversity may we learn at last how to save ourselves. Before Thee and for the generations to come, for the widening of every area of good will our influence can reach, we pledge our lives, our fortunes, and our sacred honor as we set our faces toward the golden goal of a peaceful world for which brave men have agonized and died. We can do no other. So help us God. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the cal-

endar day Friday, July 27, 1945, was dispensed with, and the Journal was approved.

LEGISLATIVE BUSINESS

By unanimous consent, as in legislative session, the following business was transacted:

UNITED NATIONS CHARTER—PROPOSED APPROVAL OF SPECIAL AGREEMENTS WITH SECURITY COUNCIL—STATEMENT BY THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate a letter from the Acting Secretary of State, transmitting a statement by the President of the United States, which, with the accompanying message, was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, July 27, 1945.

The Honorable KENNETH MCKELLAR,
United States Senate.

MY DEAR SENATOR MCKELLAR: I have received through the Secretary of State the attached message to you from the President. In accordance with the President's instructions, I am sending a copy of this message to Senator CONNALLY.

Sincerely yours,

JOSEPH C. GREW,
Acting Secretary.

[Enclosure: Message from the President.]

MESSAGE FROM THE PRESIDENT FROM POTSDAM FOR SENATOR M'KELLAR, JULY 27, 1945

During the debate in the Senate upon the matter of the Senate's giving its advice and consent to the Charter of the United Nations, the question arose as to the method to be followed in obtaining approval of the special agreements with the Security Council referred to in article 43 of the charter. It was stated by many Senators that this might be done in the United States either by treaty or by the approval of a majority of both

Houses of the Congress. It was also stated that the initiative in this matter rested with the President, and that it was most important to know before action was taken on the charter which course was to be pursued.

When any such agreement or agreements are negotiated, it will be my purpose to ask the Congress by appropriate legislation to approve them.

SPECIAL COMMITTEE TO STUDY AND SURVEY PROBLEMS OF SMALL BUSINESS ENTERPRISES

The PRESIDENT pro tempore. The Chair appoints the Senator from Idaho [Mr. TAYLOR] as a member of the Special Committee to Study and Survey Problems of Small Business Enterprises, continued by Senate Resolution 28 (79th Cong.), to fill the vacancy caused by the death of Hon. James G. Scrugham, late a Senator from Nevada.

COMMITTEE SERVICE

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Senator from Nevada [Mr. CARVILLE] be assigned to the following committees: Banking and Currency, Indian Affairs, Mines and Mining, and Post Offices and Post Roads.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL DEFENSE PROGRAM—PERMISSION TO FILE REPORT

Mr. MEAD. Mr. President, I ask unanimous consent that during the adjournment over the week end I may be permitted to file a report from the Special Committee to Investigate the National Defense Program.

The PRESIDENT pro tempore. Is there objection to the request of the

Senator from New York? The Chair hears none, and it is so ordered.

UNITED NATIONS CHARTER

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD two letters I have received from Kansas that are typical of many others that have come to me in the last few days expressing wholehearted support for the United Nations Charter. These letters are from Rev. Richard S. Klein, pastor of the Southridge Presbyterian Church, of Kansas City, Kans., and Rev. John Thorns, pastor of the Presbyterian Church of Solomon, Kans.

There being no objection, the letters were received, ordered to lie on the table, and to be printed in the RECORD, as follows:

SOUTHRIDGE PRESBYTERIAN CHURCH,
Kansas City, Kans., July 23, 1945.

The Honorable ARTHUR CAPPER,
Senate Office Building, Washington, D. C.

DEAR SENATOR: Let me register my hope that you will vote for ratification of the United Nations Charter. I recognize that it is not perfect, but neither was the United States Constitution when it was first signed. The important thing now is to set up the political framework for the promotion of world interests. Without that framework, the nations will go back to jungle methods of dealing with one another.

I hope that the vote is unanimous in favor of ratification.

Sincerely yours,

RICHARD S. KLEIN.

THE PRESBYTERIAN CHURCH,
Solomon, Kans., July 23, 1945.

The Honorable ARTHUR CAPPER,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: At our church service yesterday morning, July 22, by motion of the church, we were instructed to write you expressing our hope that you will vote for the ratification of the United Nations Charter as formulated in San Francisco.

We think, however imperfect this charter may be, it is a definite step toward permanent peace.

We wish you well in all your work for Kansas, the United States, and now the world.

Many happy returns of your recent birthday.

Signed on behalf of our membership.

JOHN THORNS,

Moderator.

W. C. BOCKER,

Clerk.

PROPOSED INVESTIGATION OF HOLIDAY FOR MANUFACTURE OF INTOXICATING LIQUORS

Mr. CAPPER. Mr. President, I also ask unanimous consent to present for appropriate reference and to have printed in the RECORD a letter I have received from Rev. R. L. Cortner, pastor of the First United Brethren Church, of Wichita, Kans., informing me of the action of the members of that church requesting an investigation of the recent intoxicating liquor holiday.

There being no objection, the letter was received, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

FIRST UNITED BRETHREN CHURCH,
Wichita, Kans., July 25, 1945.

HON. ARTHUR CAPPER,
United States Senate,

Washington, D. C.

DEAR SIR: I would like to inform you of the feeling of our people which was expressed

last Sunday morning by vote, there being approximately 350 present, protesting the July holiday which has been granted to distillers for the manufacture of whiskey and its related beverages for future consumption, and also the feeling that we should support Congressman CLIFFORD R. HOPE's resolution, House Resolution 278, for a complete congressional investigation of this liquor-making holiday.

Thanking you for whatever support you may care to give, I remain,

Sincerely yours,

R. L. CORTNER.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD, from the Committee on Naval Affairs:

S. 825. A bill to establish a Research Board for National Security to insure the continued preparedness of the Nation along farsighted technical lines by providing for the application of scientific research to national security; to provide a means of utilizing in times of peace as well as war the services of the outstanding scientists of the Nation in the planning and executing of military research; and for other purposes. To this end full recognition is given that an essential characteristic of progress toward the solution of problems in scientific and industrial fields is the provision of opportunity for parallel attack under independent direction and recognition that this procedure is not costly duplication; with amendments (Rept. No. 551).

By Mr. WHEELER, from the Committee on Interstate Commerce:

H. R. 694. A bill to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic; with an amendment (Rept. No. 552).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry:

S. 932. A bill to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes; with amendments (Rept. No. 153).

INVESTIGATION OF MEANS OF INTERSTATE AND FOREIGN COMMERCE—REPORT OF COMMITTEE ON INTERSTATE COMMERCE

Mr. McFARLAND. Mr. President, from the Committee on Interstate Commerce, I ask unanimous consent to report an original resolution, and I submit a report (No. 554) thereon.

The PRESIDENT pro tempore. - Without objection, the resolution and report will be received, and, under the rule, the resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution (S. Res. 161) was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Committee on Interstate Commerce, or any duly authorized subcommittee thereof, be, and hereby is, authorized and directed to make a full and complete study and investigation of all means of interstate and foreign transportation including transportation by means of aircraft, railroads, inland waterways, busses and trucks, and pipe lines with a view to determining (1) the interrelation of these agencies of transport; (2) the postwar character and adequacy of the services furnished in interstate and foreign commerce by these agencies of transport; (3) the developments and improvements that may be expected in foreign and interstate commerce; (4) such legislation to be recommended as will result in a consistent public policy fair to all competing agencies of transportation, to the using and investing public, and to labor; and generally

to consider and to make recommendations to the Congress to the end that the Nation's commerce will be transported with the greatest possible degree of economy, safety, and dispatch.

SEC. 2. The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer oaths, to take such testimony, to procure such printing and binding, and to make such expenditures within the limits of Senate Resolution 9, Seventy-ninth Congress, agreed to January 6, 1945, as it deems advisable.

SEC. 3. The committee is authorized to utilize the services, information, facilities, and personnel of the departments and agencies of the Federal Government.

SEC. 4. The committee shall, from time to time, in its discretion, make such report or reports to the Senate as it deems desirable.

DEVELOPMENT OF IRRIGATION AND HYDROELECTRIC POWER PROJECTS—REPORT OF COMMITTEE ON IRRIGATION AND RECLAMATION (REPT. NO. 555)

Mr. McFARLAND. Mr. President, from the Committee on Irrigation and Reclamation, I ask unanimous consent to submit a report relating to Arizona water resources, and request that it be printed in the RECORD as a part of my remarks. The report is pursuant to Senate Resolution 31, Seventy-ninth Congress, extending Senate Resolution 304, Seventy-eighth Congress.

There being no objection, the report was received, ordered to be printed, and to be printed in the RECORD, as follows:

This report is made under the authority and direction of Senate Resolution 304, Seventy-eighth Congress, which provided for "a full and complete study and investigation with respect to (1) the present and future need for development of projects for irrigation and hydroelectric power and the adequacy of the supply of hydroelectric power generated in Government plants; (2) whether such supply is properly allocated and distributed for war purposes and civilian uses; (3) whether the distribution of such supply is made under proper conditions and safeguards; (4) the relation between the generation of hydroelectric power at Government plants and irrigation; and (5) whether plans for future development of Government projects provide for full utilization of such facilities for both development of electric power and providing water for irrigation," and which directed the Senate Committee on Irrigation and Reclamation to report to the Senate "the results of its study and investigation, together with its recommendations, if any, for legislation."

The committee herewith reports as follows:

In June 1944 a subcommittee of the Committee on Irrigation and Reclamation was appointed, consisting of ERNEST W. McFARLAND (Arizona), chairman; CARL A. HATCH (New Mexico); and CHAN GURNEY (South Dakota). This subcommittee has held extensive hearings bearing on the five major directives of the resolution. Because of the nature and complexity of the subject matters and the wide geographical areas over which the problems of the investigation lie, the subcommittee found it desirable and expedient to pursue its studies along State-wide lines.

Among the first of the studies made was that in Arizona, a State in which reclamation and irrigation is a major problem. In July and August of 1944 hearings were held in the cities of Phoenix, Florence, Safford, Yuma, and Kingman, Ariz., during which 83 persons appeared before the subcommittee and

Calendar No. 552

79TH CONGRESS
1ST SESSION

S. 962

[Report No. 553]

IN THE SENATE OF THE UNITED STATES

MAY 7 (legislative day, APRIL 16), 1945

Mr. RUSSELL (for himself and Mr. ELLENDER) introduced the following bill;
which was read twice and referred to the Committee on Agriculture and
Forestry

JULY 28 (legislative day, JULY 9), 1945

Reported by Mr. ELLENDER, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "National School Lunch
4 Act".

5 DECLARATION OF POLICY

6 SEC. 2. It is hereby declared to be the policy of Con-
7 gress, as a measure of national security, to safeguard the
8 health and well-being of the Nation's children and to en-
9 courage the domestic consumption of nutritious agricultural

1 commodities and other food, by assisting the States, through
2 grants-in-aid and other means, in providing an adequate
3 supply of foods and other facilities for the establishment,
4 maintenance, operation, and expansion of school-lunch and
5 nutrition education programs.

6 TITLE I—ASSISTANCE IN PROVIDING FOOD

7 APPROPRIATIONS AUTHORIZED

8 SEC. 101. For each fiscal year, beginning with the
9 fiscal year ending June 30, ~~1946~~ 1947, there is hereby author-
10 ized to be appropriated, out of money in the Treasury not
11 otherwise appropriated, such sums as may be necessary, not
12 exceeding \$100,000,000, to enable the Secretary of Agri-
13 culture (hereinafter referred to as "the Secretary") to carry
14 out the provisions of this title. ~~For the fiscal year ending~~
15 ~~June 30, 1946,~~ the funds made available to the Secretary
16 under the item entitled "School-lunch program", Depart-
17 ment of Agriculture Appropriation Act, 1946, are hereby
18 made immediately available for carrying out the provisions
19 of this title during such year.

20 APPORTIONMENTS TO STATES

21 SEC. 102. The Secretary shall apportion among the
22 States during each fiscal year not less than 75 per centum
23 of the funds appropriated for such year for carrying out
24 the provisions of this title, except that the total of such
25 apportionment of funds for use in Alaska, Territory of

1 Hawaii, Puerto Rico, and the Virgin Islands shall not exceed
2 \$3,000,000. Apportionment among the States shall be
3 made on the basis of two factors: (1) The number of school
4 children in the State and (2) the need for assistance in the
5 State as indicated by the relation of the per capita income
6 in the United States to the per capita income in the State.
7 The amount of the initial apportionment to any State shall
8 be determined by the following method: First, determine
9 an index for the State by multiplying factors (1) and (2);
10 second, divide this index by the sum of the indices for all
11 the States; and, finally, apply the figure thus obtained to
12 the total funds to be apportioned. For the purpose of this
13 section, the number of school children in the State shall
14 be the number of children therein between the ages of five
15 and seventeen, inclusive; such figures and per capita income
16 figures shall be the latest figures certified by the Depart-
17 ment of Commerce. For the purposes of this title, "school"
18 means any public or nonprofit private school of high-school
19 grade or under and, with respect to Puerto Rico, shall also
20 include nonprofit child-care centers certified as such by the
21 Governor of Puerto Rico. If any State cannot utilize all
22 funds so apportioned to it, or if additional funds are available
23 under this title for apportionment among the States, the
24 Secretary shall make further apportionments to the remaining
25 States in the same manner.

DIRECT FEDERAL EXPENDITURE

SEC. 103. The funds appropriated for any fiscal year for carrying out the provisions of this title, less not to exceed 4 per centum thereof hereby made available to the Secretary for his administrative expenses and less the amount apportioned by him among the States pursuant to section 102, shall be available to the Secretary during such year for direct expenditure by him for agricultural commodities and other foods to be distributed among the States and schools participating in the school-lunch program under this title. The provisions of law contained in the proviso of the Act of June 28, 1937 (50 Stat. 323), facilitating operations with respect to the purchase and disposition of surplus agricultural commodities under section 32 of the Act approved August 24, 1935 (49 Stat. 774), as amended, shall, to the extent not inconsistent with the provisions of this title, also be applicable to expenditures of funds by the Secretary under this title.

PAYMENTS TO STATES

SEC. 104. (a) Funds apportioned to any State pursuant to section 102 during any fiscal year shall be available for payment to such State for disbursement by the State educational agency, in accordance with such agreements not inconsistent with the provisions of this Act, as may be entered into by the Secretary and such State educational agency,

1 for the purpose of assisting schools of that State during
2 such fiscal year, in supplying agricultural commodities and
3 other foods for consumption by children in the school-lunch
4 program under this title. Such payments to any State in any
5 fiscal year during the period ~~1946~~ 1947 to 1950, inclusive,
6 shall be made upon condition that each dollar thereof will
7 be matched during such year by \$1 from sources within
8 the State determined by the Secretary to have been
9 expended in connection with the school-lunch program under
10 this title. Such payments in any fiscal year during the
11 period 1951 to 1955, inclusive, shall be made upon condition
12 that each dollar thereof will be so matched by one and
13 one-half dollars; and for any fiscal year thereafter, such
14 payments shall be made upon condition that each dollar
15 will be so matched by \$3. In the case of any State
16 whose per capita income is less than the per capita in-
17 come of the United States, the matching required for any
18 fiscal year shall be decreased by the percentage which the
19 State per capita income is below the per capita income of
20 the United States. For the purpose of determining whether
21 the matching requirements of this section *and section 108*
22 *(d), respectively*, have been met, the reasonable value of
23 donated services, supplies, facilities, and equipment as certi-
24 fied, *respectively*, by the State educational agency *and in*
25 *case of schools receiving funds pursuant to section 108 (d), by*

1 *such schools* (but not the cost or value of land, of the acqui-
2 tion, construction, or alteration of buildings, of commodities
3 donated by the Secretary, or of Federal contributions made
4 pursuant to title II) may be regarded as funds from sources
5 within the State expended in connection with the school-lunch
6 program. The Secretary shall certify to the Secretary of the
7 Treasury from time to time the amounts to be paid to any
8 State under this section and the time or times such amounts
9 are to be paid; and the Secretary of the Treasury shall pay
10 to the State at the time or times fixed by the Secretary
11 the amounts so certified.

12 (b) In the event that funds from sources within the
13 State do not completely match, in accordance with the
14 requirements of this Act, the funds apportioned to the
15 State under both titles I and II (*and not withheld under*
16 *sec. 108 (d)*), the State educational agency may deter-
17 mine from time to time the application of funds from
18 sources within the State against the matching requirements
19 of the respective titles, except that funds from sources
20 within the State used in connection with schools not par-
21 ticipating in the school-lunch program under title I may
22 not be used for matching funds under title I.

23 STATE DISBURSEMENT TO SCHOOLS

24 SEC. 105. Funds paid to any State during any fiscal
25 year pursuant to section 104 shall be disbursed by the State

1 educational agency, in accordance with such agreements
2 approved by the Secretary as may be entered into by such
3 State agency and the schools in the State, to those schools
4 in the State which the State educational agency, taking
5 into account need and attendance, determines are eligible to
6 participate in the school-lunch program under this title.
7 Such disbursement to any school shall be made only for the
8 purpose of reimbursing it for the cost of obtaining agricul-
9 tural commodities and other foods for consumption by chil-
10 dren in the school-lunch program under this title. Such
11 cost may include, in addition to the purchase price of agri-
12 cultural commodities and other foods, the cost of processing,
13 distributing, transporting, storing, or handling thereof but
14 not the cost of administrative, supervisory, or other personal
15 services incurred in connection with the school-lunch pro-
16 gram under this title. In no event shall such disbursement
17 to any school for any fiscal year exceed an amount deter-
18 mined by multiplying the number of lunches served in the
19 school in the school-lunch program under this title during
20 such year by the maximum Federal food-cost contribution
21 rate for the State, for the type of lunch served, as prescribed
22 by the Secretary.

23 NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

24 SEC. 106. Lunches served by schools participating in
25 the school-lunch program under this title shall meet minimum

1 nutritional requirements prescribed by the Secretary on the
2 basis of tested nutritional research. Such meals shall be
3 served without cost to children who are determined by local
4 school authorities to be unable to pay. No physical segre-
5 gation of or other discrimination against any child shall be
6 made by the school because of his inability to pay. School-
7 lunch programs under this title shall be operated on a non-
8 profit basis. Each school shall, insofar as practicable, utilize
9 in its lunch program commodities designated from time to
10 time by the Secretary as being in abundance, either nationally
11 or in the school area, or commodities donated by the Secre-
12 tary. Commodities purchased under the authority of sec-
13 tion 32 of the Act of August 24, 1935 (49 Stat. 774), as
14 amended, may be donated by the Secretary to schools for
15 utilization in the school-lunch program under this title as
16 well as to other schools carrying out nonprofit school-lunch
17 programs.

18 STATE EDUCATIONAL POLICIES PRESERVED

19 SEC. 107. In carrying out the provisions of this title;
20 neither the Secretary nor the State shall impose any re-
21 quirement with respect to instruction or teaching personnel.
22 No funds made available pursuant to this title shall be paid
23 or disbursed to any State or school if, in carrying out its
24 functions under this title, it makes any discrimination be-
25 cause of race, creed, color, or national origin of children

1 or between types of schools or, with respect to a State which
 2 maintains separate schools for minority and for majority
 3 races, it discriminates between such schools on this account.

4 MISCELLANEOUS PROVISIONS AND DEFINITIONS

5 SEC. 108. (a) States, State educational agencies, and
 6 schools participating in the school-lunch program under
 7 this title shall keep such accounts and records as may be
 8 necessary to enable the Secretary to determine whether
 9 the provisions of this title are being complied with. Such
 10 accounts and records shall at all times be available for in-
 11 spection and audit by representatives of the Secretary and
 12 shall be preserved for such period of time, not in excess of
 13 five years, as the Secretary determines is necessary.

14 (b) The Secretary shall incorporate, in his agreements
 15 with the State educational agencies, the express require-
 16 ments under this title with respect to the operation of the
 17 school-lunch program under this title insofar as they may
 18 be applicable and such other provisions as in his opinion are
 19 reasonably necessary or appropriate to effectuate the pur-
 20 poses of this title.

21 (c) For the purposes of this title, (1) "Secretary of
 22 Agriculture", during the existence of the War Food Ad-
 23 ministration, shall mean the War Food Administrator; (2)
 24 "State" includes the District of Columbia, Territory of Ha-

1 waii, Puerto Rico, Alaska, and the Virgin Islands; and
 2 (3) "State educational agency" means, as the State legis-
 3 lature may determine, (a) the chief State school officer
 4 (such as the State superintendent of public instruction,
 5 commissioner of education, or similar officer), or (b) a
 6 board of education controlling the State department of edu-
 7 cation; except that in the District of Columbia it shall mean
 8 the Board of Education, and except that for the period end-
 9 ing June 30, 1947, "State educational agency" may mean
 10 any agency or agencies within the State designated by the
 11 Governor to carry out the functions herein required of a
 12 State educational agency; and (4) "nonprofit private
 13 school" means any private school exempt from income tax
 14 under section 101 (6) of the Internal Revenue Code, as
 15 amended.

16 (d) If, in any State, the State educational agency is
 17 not permitted by law to disburse the funds paid to it under
 18 this title to nonprofit private schools in the State, or is not
 19 permitted by law to match Federal funds made available
 20 for use by such nonprofit private schools, the Secretary shall
 21 withhold from the funds apportioned to any such State
 22 under section 102 of this title the same proportion of the
 23 funds as the number of children between the ages of five
 24 and seventeen, inclusive, attending nonprofit private schools
 25 within the State is of the total number of persons of those

1 *ages within the State attending school. The Secretary shall*
2 *disburse the funds so withheld directly to the nonprofit private*
3 *schools within said State for the same purposes and subject*
4 *to the same conditions as are authorized or required with*
5 *respect to the disbursements to schools within the State by*
6 *the State educational agency including, but not restricted*
7 *to, the requirement that any such payment or payments shall*
8 *be matched, in the proportion specified in section 104 for*
9 *such State, by funds from sources within the State expended*
10 *by nonprofit private schools within the State participating*
11 *in the school-lunch program under this title. Such funds*
12 *shall not be considered a part of the funds constituting the*
13 *matching funds under the terms of section 104 or section*
14 *202 (c).*

15 TITLE II—ASSISTANCE IN PROVIDING NU-
16 TRITION EDUCATION AND SCHOOL-LUNCH
17 FACILITIES

18 APPROPRIATIONS AUTHORIZED

19 SEC. 201. For each fiscal year, beginning with the fiscal
20 year ending June 30, ~~1946~~ 1947, there is hereby author-
21 ized to be appropriated, out of any money in the Treasury
22 not otherwise appropriated, such sums as may be necessary,
23 not exceeding \$15,000,000, to enable the United States
24 Commissioner of Education (hereinafter referred to as the
25 "Commissioner"), under the supervision and direction of

1 the Federal Security Administrator, to carry out the pro-
2 visions of this title:

3 APPORTIONMENT AND PAYMENT TO STATES

4 SEC. 202. (a) The Commissioner shall apportion among
5 the States during each fiscal year the funds appropriated
6 for such year for carrying out the provisions of this title,
7 less not to exceed \$175,000 thereof hereby made available
8 to enable the Commissioner to carry out his functions under
9 this title. Such apportionment shall be made in accordance
10 with the provisions of section 102 governing the initial ap-
11 portionment of funds to the States under title I, except that
12 the apportionment to any State under this title shall not
13 be less than \$10,000, and except that the apportionment
14 of funds for use in Alaska, Territory of Hawaii, Puerto
15 Rico, and the Virgin Islands shall not exceed \$450,000.

16 (b) From the funds apportioned to it under subsection
17 (a) for a fiscal year, each State having a plan approved
18 under this title shall be entitled to be paid an amount,
19 limited as provided in subsection (c), which shall be used
20 by the State educational agency, either directly or through
21 grants to schools and school systems, to establish, maintain,
22 operate, and expand school-lunch programs, to provide
23 related nutrition education, and to provide and train technical
24 and supervisory personnel and to provide equipment and
25 facilities for such programs; except that such funds may not

1 be used for the acquisition, construction, or alteration of
2 buildings or for the purchase of land or food.

3 (c) Funds apportioned to a State pursuant to sub-
4 section (a) during any fiscal year shall be available for pay-
5 ment to the State only upon condition that such funds will
6 be matched during such year, in the proportion specified in
7 section 104 for such State for such year, by expenditures
8 from sources within the State which are either expenditures
9 specified in section 104 (a) or expenditures for the purposes
10 for which funds paid to the State under this title may be
11 ~~used; excluding~~ *used, not counting funds excluded from section*
12 *104 by the last sentence of section 108 (d) and* expenditures
13 which the State educational agency has applied against the
14 matching requirements of section 104.

15 (d) The amount to which each State is entitled under
16 subsection (b) for each quarter, beginning with the quarter
17 commencing July 1, ~~1945~~ 1946, shall be computed and paid
18 in the following manner:

19 The Commissioner shall, prior to the beginning of each
20 quarter, estimate the amount to be paid to the State for
21 such quarter under the provisions of subsection (b). He
22 shall then certify to the Secretary of the Treasury the amount
23 so estimated, reduced or increased as the case may be,
24 by any sum by which he finds that his estimate for any prior
25 quarter was greater or less than the amount which the

1 State was entitled to be paid for such quarter. Upon re-
2 ceipt of such certification the Secretary of the Treasury
3 shall, prior to audit or settlement by the General Account-
4 ing Office, pay in accordance with such certification from
5 the funds apportioned to such State under subsection (a).

6 STATE PLANS

7 SEC. 203. (a) In order to be approved a State plan
8 for the administration of school-lunch programs must—

9 (1) provide that the plan shall be administered,
10 or that its administration shall be supervised, by the
11 State educational agency;

12 (2) provide that funds paid to the State under this
13 title will be used solely for carrying out the purposes
14 of section 202 (b) and that the amount of such funds
15 spent during any fiscal year for administration and
16 supervision by the State educational agency shall not
17 exceed 15 per centum of the funds apportioned to such
18 State for such year under this title;

19 (3) provide that the distribution to schools of funds
20 paid to the State under this title, and equipment pur-
21 chased with such funds, shall be only to public schools
22 and school systems of high-school grade or under (in-
23 cluding nonprofit private schools of high-school grade or
24 under which receive public funds from the State or any
25 school system thereof for payment of teachers' salaries),

1 which undertake to furnish school lunches under agree-
2 ments pursuant to title I or which, in the case of schools
3 which do not have such agreements, satisfy the State
4 educational agency that they will furnish school lunches
5 on a nonprofit basis and in accordance with standards
6 determined by the State educational agency to be con-
7 sistent with standards, for nutritional adequacy of school-
8 lunch programs, established by the United States De-
9 partment of Agriculture;

10 (4) provide that any school or school system receiv-
11 ing funds under the plan shall serve meals without cost
12 to children who are determined by local school authorities
13 to be unable to pay, and shall make no physical segrega-
14 tion or other discrimination against any child because
15 of his inability to pay;

16 (5) contain provisions, if the State maintains sep-
17 arate schools for minority and for majority races, neces-
18 sary to assure a just and equitable distribution within
19 the State, for the benefit of such minority races, of funds
20 paid to it under this title;

21 (6) provide that the State educational agency will
22 make such reports, in such form and containing such
23 information, as the Commissioner may from time to
24 time require.

25 (b) The Commissioner shall approve any State plan

1 which he determines complies with the provisions of sub-
2 section (a).

3 OPERATION OF STATE PLANS

4 SEC. 204. Whenever the Commissioner, after reason-
5 able notice and opportunity for hearing to the State educa-
6 tional agency, finds that with respect to money paid to the
7 State under this title there is a failure to comply sub-
8 stantially with any provision required by section 203 (a)
9 to be included in the plan, the Commissioner shall notify
10 such State agency that further payments will not be made
11 to the State until he is satisfied that there is no longer any
12 such failure to comply. Until he is so satisfied the Com-
13 missioner shall make no further certification for payment
14 to such State. Within thirty days from the decision of the
15 Commissioner to withhold funds under this section the State
16 educational agency shall have the right to appeal there-
17 from to a United States district court having jurisdiction
18 over cases arising in such State, or in a part of such State,
19 and such court shall have jurisdiction as to both fact and
20 law.

21 ADMINISTRATION

22 SEC. 205. In carrying out his functions under this title,
23 the Commissioner shall take all necessary measures to fa-
24 cilitate the promotion of adequate school-lunch programs
25 and related nutrition education by States.

DEFINITIONS

SEC. 206. As used in this title:

(a) The term "State" includes the District of Columbia, Territory of Hawaii, Puerto Rico, Alaska, and the Virgin Islands;

(b) The term "State educational agency" means, as the State legislature may determine, (1) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (2) a board of education controlling the State department of education; except that in the District of Columbia it shall mean the Board of Education;

(c) The term "minority race" means any race or racial group that constitutes a minority of the population of the continental United States;

(d) A just and equitable distribution of the funds provided under this title for the benefit of a minority race in a State which maintains by law separate educational facilities for such minority race, means any plan of distribution which results in the expenditure, for the benefit of such minority race, of a proportion of said funds not less than the proportion that each such minority race in such State bears to the total population of that State.

A BILL

To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

By Mr. RUSSELL and Mr. ELLENDER

MAY 7 (legislative day, April 16), 1945
Read twice and referred to the Committee on
Agriculture and Forestry

JULY 28 (legislative day, July 9), 1945
Reported with amendments

PROVIDING ASSISTANCE TO THE STATES IN THE ESTABLISHMENT, MAINTENANCE, OPERATION, AND EXPANSION OF SCHOOL-LUNCH PROGRAMS

JULY 28 (legislative day, JULY 9), 1945.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry, submitted the following

R E P O R T

[To accompany S. 962]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 962) introduced by Mr. Russell (for himself and Mr. Ellender), to provide for assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes, having considered the same, report favorably thereon with amendments, and recommend that the bill, as amended, do pass.

STATEMENT

This committee has considered four bills proposing the establishment and operation of permanent school-lunch programs with Federal assistance: S. 1721, introduced by Mr. Wagner; S. 1820, introduced by Mr. Russell; S. 1824, introduced by Mr. Smith and Mr. Ellender (78th Cong.); and the instant measure. S. 1820 and S. 1824, upon which extensive hearings were held, each make use of a different approach and administrative technique for Federal assistance for school lunches, the merits of each being finally consolidated in the present two-title measure.

The policy of the use of Federal funds in the establishment and operation for school-lunch programs in the schools of the Nation, and the legislative and administrative structure that should be adopted in connection therewith, have been thoroughly explored not only by this committee but by other congressional committees in the past 3 years in connection with annual appropriations for school-lunch programs, and have been debated at length in the Congress itself. This committee has had the benefit of this exhaustive examination and discussion as well as the instruction derived from the 10 years' experience of the Federal Government in the field of school-lunch

programs, in the work of the Department of Agriculture. It is believed that definitive legislation now can and should be enacted crystallizing this experience and long consideration. It therefore approves the bill, as amended, as one of the necessary constituent parts of the agricultural program of the United States and at the same time as a child-welfare program essential to the Nation's well-being.

While the features of the proposed legislation are thus by this time not novel, it will be useful to summarize the considerations that resulted in the bill in its present form, and the historical background of the work of the Federal Government with school-lunch programs.

There is attached hereto favorable reports from the Department of Agriculture and the Federal Security Agency reading as follows:

JUNE 15, 1945.

HON. ELMER THOMAS,

*Chairman, Committee on Agriculture and Forestry,
United States Senate.*

DEAR SENATOR THOMAS: This will reply to your request for a report on S. 962, a bill cited as the National School Lunch Act and which has as its purpose "to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the States, through grants-in-aid and other means, in providing an adequate supply of foods and other facilities for the establishment, maintenance, operation, and expansion of school-lunch and nutrition education programs."

The need for basic legislation establishing a school-lunch program on a more permanent basis than the present authority, found only in the annual appropriations for the Department of Agriculture, has long been recognized. We, therefore, favor the purposes and general content of this bill which establishes precise methods of operation with such flexibility as will permit operation through State educational agencies having varying degrees of authority conferred by State legislatures.

The objectives of the Department of Agriculture have always been geared toward better production and distribution methods which result in a more adequate food supply and improved nutrition for the Nation. Maintaining a constantly high production level with expanding markets for farm products means finding ways to provide for full consumption so that the nutrition objectives can be realized. Direct participation in the school-lunch program began in 1935 as an important part of this over-all agricultural program, designed to aid the Nation's farmers by providing new outlets for the commodities they produced. During that year over 800,000 children benefited from foods which the Department purchased and diverted from normal trade channels in order to relieve depressed markets.

Recognizing that food production and consumption must go hand in hand and that school-lunch programs provided a means of helping to accomplish this objective, communities were encouraged to initiate new school-lunch programs and expand those already established. Communities were quick to recognize the benefits such a program provided for their children and their farmers. Because of this recognition and the determination to do something about it, school-lunch programs have developed to a point where over 5,000,000 children are now being served lunches in programs receiving Federal assistance.

During the peak year 1940-41 Government-purchased commodities totaling 754,503,000 pounds costing \$21,859,000 were distributed to 93,076 schools and child-care centers. The Nation's children thus benefited from foods which were considered to be in surplus and which, if not purchased and distributed, would have resulted in a loss to farmers in the very communities in which they were ultimately consumed.

As the program grew in size it also developed in concept. Steps were taken from time to time with the help of the Department's Bureau of Home Economics, the agency in the Federal Government responsible for nutrition research, to improve the nutritive quality of the lunches. When military needs and lend-lease provided markets for our American farm products, the Department of Agriculture did not lose sight of the nutritional needs of the Nation's school children. A plan was devised and put into operation to assure children participating in a lunch program of an adequate noon meal, based on Bureau of Home

Economics standards. A cash reimbursement was made available for schools that agreed to meet certain basic nutritional requirements that were flexible enough to provide for individual community differences.

S. 962 is a two-title bill, title I of which describes the functions and duties of the War Food Administrator (Secretary of Agriculture) in providing assistance to schools in obtaining food for school lunches and in correlating this program with the Administration's farm program of production, distribution, and nutritional research. In the main, this portion of the bill would authorize the continuation on a permanent basis of the program now in effect, the only substantial change being the requirement that assistance in the form of cash reimbursement be provided through State educational agencies rather than directly to the local schools.

While it has always been our policy to encourage communities to assume responsibility for the operation of school-lunch programs, we have long recognized that they will continue to need Federal assistance for some time to come. With the limited funds made available to the Department for administration of the program, we have not been able to provide for all the assistance which we recognize as being necessary to the most efficient program operation. We believe that the funds provided in title II for the purchase of equipment, for technical supervision, training of workers, and nutrition education will assist the program.

The bill outlines rather specifically the functions of the War Food Administration and the Federal Security Agency within their respective spheres of operation. Inasmuch as the responsibilities of the War Food Administration are set forth in title I, we are confining our detailed comments to that title.

The bill authorizes an annual appropriation of not to exceed 100 million dollars for use in furnishing food for consumption by children in the school-lunch program. This amount would not be sufficient to provide food for lunches for all children in all public and nonprofit private schools of high-school grade and under. We understand, however, that the purpose of this bill is to assist States in establishing and maintaining a lunch program and to require such States, through the matching requirements of sec. 104, periodically to assume a greater share of the cost of the expanding program.

Section 102 authorizes the War Food Administrator to use not in excess of 25 percent of the appropriation for the purpose of direct purchases and distribution of food, less not to exceed 4 percent of the appropriation for his administrative expenses. Under this provision, a part of the purchasing power of the lunch program can be directed to those local areas which, from time to time, have surpluses of agricultural commodities in need of immediate attention calling for a wider distribution than can otherwise be expeditiously effected. An example of this type of operation is found in our purchase of apples.

Last October, a hurricane blew tremendous quantities of apples off the trees in the Northeastern States. Growers were faced with the prospect of a substantial loss. The War Food Administration purchased about 400,000 bushels of those apples to support the market and protect growers from what appeared to be an almost certain loss. Although school-lunch programs were only beginning to get under way at the time, they absorbed half the apples we purchased—apples that would surely otherwise have been wasted before they could have moved in the normal channels of trade.

Other examples are found in our purchases this past year of local and regional surplus of onions, carrots, cabbage, beets, and other vegetables. Under a provision of section 106, schools will be required to accept commodities so purchased for utilization in their lunch programs to the extent that practicable use can be made of them. Because of the highly perishable nature of many of these commodities, it will be necessary to maintain our flexible distribution system, which will permit our field representatives to obtain orders rapidly from schools and handle the distribution problems arising from the varied nature of the commodities involved.

Through the Steagall amendment, the Federal Government is committed to a policy of supporting the prices of many agricultural commodities at 90 percent of parity for a period of 2 years after the end of the present conflict. With this in mind, it is our earnest belief that community school-lunch programs have a very definite part in any postwar plans for helping to balance food production and consumption.

Not less than 75 percent of the sum appropriated for the purposes of title I is required to be apportioned among the States and Territories. Apportionment among the States will be made in accordance with the formula which gives equal weight to (1) number of school children and (2) the need for assistance as indicated by the relation of the per capita income in the United States to the per

capita income in the State. This formula is substantially that used in the present program and one which we believe is well adapted to effecting apportionment in accordance with need for assistance. The upper limit of funds for use in Alaska, Hawaii, Puerto Rico, and the Virgin Islands is set at \$3,000,000, which is slightly more than is currently devoted to this purpose but less than would be available under the apportionment formula.

Section 104 provides for the matching of Federal funds by State and local contributions to the program. For the first 5 years, matching required of States with the same or greater per capita income than the United States is dollar for dollar; for States with a lower income, the required matching is at a rate proportionate to their income. During the period 1951 to 1955, inclusive, each Federal dollar will be matched by 1½ dollars, and in succeeding years by \$3. Under this increased matching, the rate for the lower-income States would again be reduced proportionately to their income. We believe this gradually increasing State and local contribution is desirable, because it reduces the Federal contribution per school and correspondingly increases the State and local share of the cost of an expanding program. The program administered by the Department of Agriculture has been a community program in which our aim has been to assist rather than to direct or operate; to encourage the community to do the job itself as far as possible. The program has relied upon local interest and initiative, local sponsorship and administration.

Section 104 (b) provides that States unable to match completely the funds available under both titles may determine how State and local funds shall be applied against the matching requirements of the respective titles. This provision will permit the State to take advantage of whichever title it feels will be most helpful to the program in the State.

Section 105 provides for the disbursement of allocated funds by State educational agencies to participating schools on a reimbursement basis. Because of the matching requirements and because payments to schools may not exceed the amount expended for food, it is particularly desirable that disbursement be made only after the school has submitted a monthly report and claim with the requirements of title I, during the period for which reimbursement is sought.

Section 106 sets up certain requirements for the conduct of the lunch program within the participating schools. The War Food Administration, in its past operation of the program, has administratively required that all these conditions be met, and we feel that they are very necessary for the proper conduct of the program. This section also authorizes the distribution to schools of commodities purchased under section 32 programs. The provision that all lunches meet minimum nutritional standards set by the War Food Administrator is particularly important. It is obvious that the program will have failed in one of its objectives if it is not required that well-balanced, nutritious lunches are served. Determination of lunch types by the Administrator, on the basis of research conducted by the Department of Agriculture, makes sure that nutritious lunches are served in all parts of the country. These minimum requirements permit great flexibility in menu planning by schools and permit the school to recognize local dietary habits.

Section 107 provides that neither the Administrator nor the State may impose requirements with respect to instruction or teaching personnel in disbursing the funds under this title, nor may funds be paid to any State or school making any discrimination between children or schools in carrying out of the functions of the title. This is the declaration of a policy always observed by War Food Administration in furnishing assistance to school-lunch programs and is most important in protecting the local autonomy of schools and assuring proper consideration of the needs of minority races and creeds.

Section 108 provides for the keeping of necessary records and the making of reports on operations under the title and sets forth the salient points of the agreement the Administrator shall enter into with State educational agencies. These provisions seem adequate for the purpose.

We would like to call the committee's particular attention to the definition of "State educational agency" in section 108 (c). This definition provides that for the period ending June 30, 1947, "State educational agency" may mean any agency designated by the governor of the State to carry out the functions of title I. This is most important, inasmuch as State departments of education in some States are not now in a position to assume the responsibilities of title I. The period between July 1, 1946, and June 30, 1947, should give State legislatures an opportunity to enact such legislation as may be necessary to enable an appropriate State agency to receive and distribute funds and to appropriate sufficient money for administrative expenses of the State departments. During the 2-year

period the governor may designate any other State agency or any agencies within the State to carry out the State's responsibilities under the title.

The school-lunch program has proved its worth to the children of our country as a means of improving their nutritional status and to our Nation's farmers by expanding the market for agricultural commodities through increasing domestic consumption. We are enclosing a suggested amendment in the form of an additional subsection to section 108, together with certain incidental amendments which will be necessary if the new subsection is added. With the inclusion of these amendments, we recommend the passage of this bill.

The Secretary of Agriculture authorizes me to state that he concurs in this report.

The Bureau of the Budget advises that it has no objection to the submission of this report.

Sincerely,

MARVIN JONES, *Administrator.*

SUGGESTED AMENDMENTS

1. On page 5, line 21, after the word "section", insert "and section 108 (d), respectively,".

2. On page 5, line 23, after the word "certified", insert ", respectively,".

3. On page 5, line 23, after the word "agency", insert "and, in the case of schools receiving funds pursuant to section 108 (d), by such schools".

4. On page 6, line 13, after the figure "II", insert "(and not withheld under section 108 (d))".

5. On page 10, line 9, delete the period after the word "agency", and insert a semicolon and the following: "and (4) 'nonprofit private school' means any private school exempt from income tax under section 101 (6) of the Internal Revenue Code, as amended".

6. Insert, after line 9, page 10, the following new subsection:

"(d) If, in any State, the State educational agency is not permitted by law to disburse the funds paid to it under this title to nonprofit private schools in the State, or is not permitted by law to match Federal funds made available for use by such nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under section 102 of this title the same proportion of the funds as the number of children between the ages of 5 and 17, inclusive, attending nonprofit private schools within the State is of the total number of persons of those ages within the State attending school. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within said State for the same purposes and subject to the same conditions as are authorized or required with respect to the disbursements to schools within the State by the State educational agency, including, but not restricted to, the requirement that any such payment or payments shall be matched, in the proportion specified in section 104 for such State, by funds from sources within the State expended by nonprofit private schools within the State participating in the school-lunch program under this title. Such funds shall not be considered a part of the funds constituting the matching funds under the terms of section 104 of section 202 (c)."

7. On page 12, line 6, after the word "used," insert a comma instead of the semicolon and the following language: "not counting funds excluded from section 104 by the last sentence of section 108 (d) and".

8. On page 12, line 6, delete the word "excluding".

FEDERAL SECURITY AGENCY,
Washington, June 16, 1945.

HON. ELMER THOMAS,
Chairman, Senate Committee on Agriculture and Forestry,
United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: In accordance with your request for a report on S. 962, I am pleased to say that the Federal Security Agency heartily approves this bill and recommends its passage.

This bill follows a draft developed jointly by representatives of the United States Department of Agriculture and the Federal Security Agency. It is designed to permit the two agencies to perform complementary functions essential to an effective program of providing Federal assistance in the Nation-wide development of school lunches. It has long been my view that such a program

(1) must become the responsibility of the regularly constituted school authorities and (2) must rest firmly upon sound principles of Federal-State relationships. The enactment of this bill would be a long step in the right direction.

Since title I of this bill relates to the functions of the Department of Agriculture, we feel it appropriate that comment thereon come from that Department. It is in order, however, to say that, as drafted, this two-title bill is designed to keep all bookkeeping and related operations by the States and localities to a minimum. Both titles I and II as drafted appear to us to accomplish this end and to conform to the best experiences in Federal-State relations.

Federal assistance to school-lunch programs must seek to further the following basic objectives if it is to meet the needs of the children, of the school community, and of agriculture:

1. To stimulate and to help make it possible for all schools to make a nutritious noon lunch available at cost to all children, and at less than cost to those who need such lunches but are unable to pay the full cost.

2. To assist the schools in improving the health and physical development of school children by helping to prevent underfeeding and malnutrition.

3. To help the States provide practical situations through which children can be taught to select and eat balanced diets and to practice habits of sound nutrition both in school and at home.

4. To aid in improving existing school-lunch programs, expanding them where necessary, and establishing new ones, to the end that the ways and means available for improving and stabilizing farm markets will be increased.

If these objectives are to be realized, the formulation of sound and permanent Federal school-lunch legislation must take into account the following facts:

1. There are about 222,000 public and private schools in the United States enrolling a total of 26,000,000 children.

2. It has been estimated that 60,000 of these schools now have lunch programs of some kind in which 7,000,000 children participate; about 30,000 of these school-lunch programs serving 4,000,000 children now receive grants-in-aid from the Federal Government. Thus less than 1 school in 7 now receives aid from the Federal Government in connection with school-lunch programs. Since the Federal funds authorized by this proposed law would constitute only about one-seventh of what it would cost to provide free to every school child a 20-cent noon meal for 150 days in the year, these funds must be considered as only stimulative and developmental in purpose. They cannot be thought of as shifting the burden of feeding children to the Federal Government.

3. While school authorities agree that the various types of Government assistance provided in recent years to further school lunches have given a great impetus to this development, they point out that much needs yet to be done if all children needing a clean and nutritious meal at school are to have it.

4. The factors most commonly cited by the school authorities as disadvantageous to the proper development of lunch programs in the schools may be summarized as follows:

(a) Frequent changes in types of Federal assistance provided—WPA labor, surplus farm commodities, cash indemnities—and lack of permanent Government policies under which these aids are made available have placed the schools in a condition of insecurity as concerns school-lunch developments. As a result, many of those possessing lunch facilities have not felt justified in enlarging their school-lunch programs beyond a point at which they would be able to carry them on without Federal assistance should such assistance be discontinued or provided under conditions which would be unacceptable. Schools which have to install new lunchrooms or secure new equipment before they can take advantage of the Federal aids available are naturally slow to risk heavy outlays, unless they can be given reasonable assurance as to what they can count on in the immediate future.

(b) Many schools have been unable to take advantage of the available Government aid because they have had no persons on their staffs who have had the necessary time to give to the sound development and management of school lunches and of the specific skills needed. Moreover, school authorities have had to exercise care in assigning these additional duties to existing staffs lest the effectiveness of other essential school activities be seriously hampered.

(c) Thus far, few of the teacher-training institutions have the staffs, the courses of study, or the facilities needed for training school-lunch supervisors and managers. As a result many schools have been unable to find personnel competent to organize and operate sound and safe school-lunch programs. Any school service involving the health and safety of the children of a community must of necessity

proceed cautiously and under skilled direction if far-reaching mistakes are to be avoided.

(d) Without the employment by State, county, and city school systems of trained school-lunch directors and supervisors able to give leadership to the various schools and school systems in the development and management of sound school-lunch programs, many schools have been unable fully to marshal the available local and State school-lunch resources. As a result, many of the schools most needing a school-lunch program have not been in a position to take advantage of benefits available from the Government.

(e) When seeking advice from the Federal Government educators in the States are accustomed to look to the Office of Education for counsel and leadership concerning new or changing developments which affect schools. State and other school authorities have for years worked with this Office to set up Nation-wide policies and procedures in fields closely allied to the development of school lunches. Through national committees, through joint research projects, through State and regional conferences and workshops, State departments of education have attacked such problems relating to school lunches as the spread of home-economics education, the improvement of health and nutrition education, the planning, construction, and equipment of school buildings. While the services of the Office of Education to the development of school lunches have been limited, because of the absence of funds and lack of staff, the Office has already made many contributions to this school activity. It has established the good will and the basic operational framework necessary for quick expansion into this field of service as soon as funds are provided.

We should like especially to call to your attention certain high lights of title II. Section 203 (a) (1) provides that the program shall be administered by the regularly constituted school authorities, on the basis of an objective formula of allocation (sec. 202) which gives the Office of Education no discretionary powers over the States.

Section 202 also provides that the Federal grants shall be matched within the States at an increasingly higher ratio as school lunches become more firmly established. This provision aims to draw into the school-lunch programs maximum State and community resources, and it should give assurance that the States will more and more take over the burden of financing this program.

Section 202 (b) provides for a school-lunch operation that will assure nutritional education within the States. Section 202 (b) also provides for securing in part the trained personnel and equipment needed to assure the widest and most effective use of the funds provided under title I.

It is our conviction, growing out of the experience of schools throughout this country, that without an effective developmental program closely integrated with professional educational services on the Federal, State, and local levels as provided for in title II, efficient lunchroom programs will not be extended as rapidly as they should be to the tens of thousands of schools now without lunch programs but in need of them. The result of this would be twofold: one, that funds appropriated for this purpose would not be used most effectively, and two, that opportunity would be lost for developing greater agricultural markets because of the nonparticipation of thousands of schools.

The funds under title II will be used to make possible a more effective and widespread program of school lunches. For the information of your committee, may I indicate just how the States, to whom title II funds would be granted, will use these funds:

1. To develop sound lunch programs and related nutrition education, school-lunch directors or supervisors must be trained and employed by State, county, and city school systems. While there are naturally wide variations in the number of such persons needed in the several States, fair estimates suggest that there are immediately needed several such directors and supervisors in each State department of education and one or more to have charge of school-lunch programs of each of the larger cities and of two or more counties grouped for this purpose. At the outset these would total about five or six hundred for all of the States. Eventually every county and city school system will need to employ this type of school lunch leadership, totaling for the Nation about 10,000 persons. Some of these school systems are already employing such school-lunch directors and supervisors, others cannot do so without help. The work of these supervisors will have to be facilitated through research, planning conferences, demonstrations, publications, and other services carried on cooperatively by the State departments of education and the United States Office of Education.

The following briefly lists the major functions of these school-lunch directors or supervisors:

(a) *Train school-lunch workers—supervisors, nutritionists, cooks.*—(1) "On the job" training through visits, conferences, workshops, institutes, short courses, demonstrations, circulars, etc.; (2) preservice training through job analyses, home economics courses, outlines for college courses, guided practice programs, etc.

(b) *Develop suitable housing plans and equipment lay-outs.*—(1) With school building directors they plan lunchrooms of various sizes; (2) with institutional management experts they determine types of equipment needed and where to place it for greatest efficiency; (3) with health and sanitation experts they develop and enforce health and safety standards.

(c) *Advise on plans for administering and financing school-lunch programs.*—(1) Prepare written materials to show what can be done in schools and communities of different sizes and types; (2) help work out budget plans, record forms, accounting systems, and ways and means of using community resources; (3) visit schools to help organize school-lunch committees, to develop community understanding and support, and to organize and install school lunches.

(d) *Develop nutrition-education programs.*—(1) Work out techniques and procedures for making school lunches educational; (2) help school principals integrate the school lunch with health instruction, home-economics instruction, etc.; (3) develop ways of working with parents on nutrition-education problems.

2. Thousands of schools will need help in employing trained lunchroom managers and operators if they are to make the wisest use of the aids provided through title I to channel food into school lunches and if they are to spread the benefits of this type of aid as widely and as fairly as possible. Since there is an inadequate number of persons trained or experienced in carrying on the business activities, the managerial functions, the large-scale cookery, and similar technical duties involved in running an efficient school-lunch program, training courses and activities must be worked out for such persons and made available. To be effective such training activities must be provided both on a preemployment basis in the State teacher training institutions and on an in-service basis within the county and city school systems. It is estimated that more than 100,000 of the larger schools will need to employ such managers and operators of school lunches; at present fewer than one-third of these schools have lunchrooms and employ such managers. Through Federal assistance the essential technical services can be made generally available and the health and safety of the children safeguarded.

3. Without some help in providing equipment school-lunch programs cannot be established in many of the schools now without such programs. A developmental program stimulated through Federal funds should therefore make it possible for State educational agencies to help such schools to procure the needed equipment. The amount and type of equipment needed will vary from a simple roll-away cabinet fitted to serve the needs of a one-teacher school to the more elaborate cooking and serving facilities needed in the larger lunchrooms. It has been estimated that at the outset an average Federal outlay of \$100 or \$200 per school would help many thousands of schools to establish school-lunch programs. If the State school systems were to pursue a policy of extending this type of Federal assistance chiefly to schools not having such programs, it is expected that the Federal funds proposed, accompanied by the various kinds of technical, supervisory services enumerated earlier, would increasingly secure a widespread development of school-lunch programs.

The Bureau of the Budget advises that there is no objection to the submission of this report to your committee.

Sincerely yours,

(Signed) WATSON B. MILLER,
Acting Administrator.

THE NEED FOR THE SCHOOL-LUNCH PROGRAM

The waste and the economic and social confusion that follows from the failure to utilize fully the extraordinary agricultural production of the United States is not a problem separable from that of assuring adequate nutrition for the people and especially for the children of the Nation. If the problem were simply one of child welfare, or if it were only a problem of maintaining a high level of agricultural production

and removing surpluses from the market, there is an apparent validity to arguments against the program, or Federal assistance, but these lose all cogency when it is recognized that the problem is a single and indissoluble one. Full production demands adequate nutrition, and adequate nutrition demands full production. Since economic, social, and political reasons demand both, no discussion is realistic unless one is viewed in the light of the other. However, for the sake of simplicity in presentation, we will discuss each basis for the program in order.

It is axiomatic that proper nutrition is essential for the health and well-being of a child and for his growth and development as a citizen. It is demonstrable that a child's educational progress is dependent on his health. There are three conditions that prevent adequate nutrition. The first is ignorance of the elements of proper nutrition. This lack of information is widespread, for the science of nutrition is of recent origin. Not only are children uninformed as to what they should eat, but their parents can give them little guidance. Much testimony has been adduced that the introduction of the school-lunch program has resulted in a marked and beneficial change in dietary habits, not only of the child, but of his parents.

The second difficulty to proper nutrition in childhood is the difficulty encountered by the child in obtaining a proper lunch at school. Distances from home to school are increasing. The increase in the number of working mothers and the consolidation of schools, make even the best-intentioned efforts of parents insufficient. Without adequate facilities for a good lunch, the child will purchase one nutritionally unsatisfactory or definitely undesirable.

The third condition is that large segments of our population have insufficient means to provide proper food. Studies indicate that this is true, even in times of general prosperity such as we are now experiencing. A large part of the population does not benefit by rising national income, being for various reasons held to a fixed income.

The school-lunch program democratically resolves all of these difficulties. The children eat a common, well-chosen meal together, and learn at the same time what they should eat. Those who cannot pay for the lunch need not pay and there is no discrimination attached to such nonpayment.

The large number of young men rejected by the selective service in the present war, whose physical deficiencies are directly traceable to poor nutrition in childhood, emphasize the fact that the nutrition of the children in the United States has been inadequate. The Surgeon General of the United States testified that 70 percent of the boys who had poor nutrition 10 to 12 years ago were rejected by the draft.

The school-lunch program becomes an organic part of the agricultural program of the United States. The amount and dollar value of food which would be consumed in programs operating under S. 962 is in itself not inconsiderable. In table I, below, an estimate has been made on the basis of meal standard and matching requirements which would indicate that in the first year of its operation approximately \$186,000,000 would be expended for foods, and this would increase as the matching requirements increased. There is also the indirect result of increasing the use of foods through education. An established and regular market for the agricultural production of the country is provided which would, in great measure, not exist if this

legislation were not enacted. An organized outlet is established for the occasional surplus in production which exists in almost every agricultural commodity field. In some periods an excess in production of a small percentage in relation to the total production will destroy the possibility of a farmer obtaining a fair market price for his entire production. The prices of farm products are subject to vagaries from which the prices of many manufactured products are free. Since the Government is now firmly committed to the policy of supporting prices of many agricultural commodities, with a full-scale school-lunch program in operation, foods purchased under those price-support programs can readily and desirably be disposed of.

FEDERAL ASSISTANCE TO SCHOOL-LUNCH PROGRAMS UNDER EXISTING LEGISLATION

The Federal Government became active in school-lunch programs during the 1930's. During this decade agricultural surpluses, which could not be sold in the normal channels of trade, accumulated. It was imperative to find an outlet for these surpluses of a nature which was in itself socially desirable, and yet not in conflict with the prevailing economic structure. One of the most obvious outlets was presented by the need for this food by the children of the Nation, many of whom were malnourished to the point of physical and mental deterioration. In 1935 Congress enacted legislation under which this dual purpose could be accomplished. Under section 32 of the act approved August 24, 1935 (49 Stat. 774), 30 percent of the proceeds of the duties collected under the customs laws were set aside for use by the Secretary of Agriculture to encourage (among other things) the domestic consumption of agricultural commodities by diverting them from the normal channels of trade through benefits or indemnities, or other means, to persons in low-income groups. The Government then instituted its program of "direct purchase and distribution"—buying foods that were in "surplus" and distributing these foods to individuals whose income was too low to enable them to maintain an adequate standard of nutrition. This larger program provided the framework under which active Federal participation in the school-lunch program was pursued.

The serving of meals at school had, until that time, been a service maintained primarily for high-school students and as a fund-raising enterprise for schools and concessionaires. Little attention had been given to the nutrition needs of the students either in preparing meals or in making them available to all children, whether or not the child was able to pay the charge for such food. Throughout the United States, private agencies had assumed some responsibility for serving meals to children in school. In 1918 a survey of school feeding in 86 cities revealed that there was some provision of a noon meal in high schools in 76 percent of the cities, but such service was maintained in elementary schools in only 25 percent of the cities. However, of the 72 cities reporting a service for high-school students, only 5 indicated that the lunch had been established to combat malnutrition. The provision of free meals was considered a welfare problem, not a school problem, which could be met chiefly through the work of local providential societies and welfare boards through help and educational work with families at home.

Lunch projects that participated in the program as it was initiated in 1935 were under the sponsorship of local agencies: Educational or welfare authorities, civic organizations, or even private individuals. If the local welfare authorities felt that there was a need in the school, and if the sponsors agreed to abide by certain regulations governing the use of surplus commodities, the school could obtain whatever food the local surplus commodities warehouse of the welfare administration had for distribution, in quantities proportionate to the number of children certified to receive free meals. Labor was furnished by the Work Progress Administration or the National Youth Administration, or by the sponsors themselves.

Sponsors agreed that their normal purchases for school lunches would not be curtailed because of the receipt of these surplus foods. No charge could be made for the foods when they were served to eligible children, and if both paying and nonpaying children were served at the same time, no distinction could be made between the two groups. The projects were operated on a nonprofit basis. When the program was initiated, children were certified for participation on an individual basis. These procedures were perfected and simplified to the extent that schools and areas were certified, as a group, to be eligible for the receipt of "surplus" commodities.

The growth of this program was consistent, rising from 3,839 schools and 342,031 children in March 1937, until in March of 1945, 6,572,459 children in 43,950 schools were participating in federally assisted school-lunch programs. Figures for fiscal year cost prior to 1940 and participation prior to 1937 are not available, but table II, below, shows peak participation and cost for other years.

Assistance in the form of food continued as a direct distribution program until early in 1943. The transportation situation in this country then became critical and the shortage of automotive facilities made deliveries of food uncertain. In addition, foods which the United States Department of Agriculture had available for distribution to schools were limited both in quantity and variety. It was felt that continuation on this basis, without recognition of the need for revision in the type of operation, would hamper the effectiveness of the program. Accordingly, in March of 1943, the indemnity program was initiated, under authorization by Congress (Department of Agriculture Appropriation Act, 1944). Under that procedure, schools were reimbursed for their purchases of agricultural commodities used in serving lunches to children, up to a per meal maximum reimbursement. Sponsors of these programs agreed to the maintenance of certain standards and procedures. From time to time, the Department made available to schools commodities it acquired under its various programs. Some commodities were purchased in the normal administration of the price-support program and others which had been purchased either for lend-lease or for the Army, and because of unavailable shipping had to be consumed in this country, were turned over to school-lunch programs.

The Department of Agriculture Appropriation Acts of 1945 and 1946 continued the school-lunch program on approximately the same basis, and this legislation was passed after hearings and congressional debate

FEDERAL ASSISTANCE FOR SCHOOL-LUNCH PROGRAM AND THE FORM IT SHOULD TAKE

Recognizing the need for school-lunch programs, the question yet remains as to the need for Federal assistance and the manner in which such assistance should be given. If the intrinsic agricultural nature of the program is recognized, few will question that Federal assistance should be given. However, there has been a tendency among some to discuss the child welfare features of the program apart from the program as a whole, and then to conclude that the Federal Government is usurping the functions of the several States, or further, usurping the functions of the children's parents, on the premise that the proper nutrition of children is the duty of their parents.

It is, of course, a fallacy to segregate the child-welfare features of the school-lunch program. It must be emphasized again that it is unrealistic not to see the problem of child nutrition in connection with the tremendous agricultural production of the United States and the waste and economic loss occasioned by the failure to utilize it. Yet, even on this narrow ground there is a complete answer to the charge of usurpation. The welfare of the Nation's children, and in particular their education and health, has always been a matter of immediate public concern to the National Government as well as to the several States. The defense of the Nation and its bases of economic and political existence are dependent on an informed and vigorous citizenry. It is undoubtedly true that the education of children and child welfare are also proper functions of the several States. Legislation in regard to these matters should essentially be along the lines of aid to the States in the provision therefor. Grants-in-aid to the States have always been an acceptable means of encouraging States to undertake these proper functions and is a method consonant with American traditions. The requirement placed on the State of matching funds granted by the Government relieves the financial burden on the Federal Government and encourages active State participation.

Nor is the provision of a certain amount of food any more an usurpation of parental duties than the provision of public education. It is an unreasonable line of argument that states that if food is provided to those unable to pay, the door will be opened for the assumption of other parental duties by the Government. Food is unique in that an adequate amount of it in childhood is essential for the future health of the individual. It is a fundamental requirement, unlike any other need. Without adequate nutrition the most carefully devised educational system will be ineffective.

A discussion of social and political policy involving the welfare and freedom of our citizens and the proper separation of functions between national government, State government, local government, and the family properly begins when we have assured ourselves of a citizenry sound in body and mind, and no argument on policy can possibly precede this consideration.

We conclude that Federal assistance should be given and that it should take the form of grants-in-aid to the States who should administer the programs. In S. 1820 and S. 1824 the Federal supervisory functions would be performed by the Secretary of Agriculture

and the Commissioner of Education, respectively. After full discussion it became apparent that the dual objectives of the school-lunch program would best be secured by the division of certain functions between the two agencies. Thus, the advantage would be gained of directing the experience and background of both agencies to a problem common to both. The present two-title measure is the result.

THE PRESENT BILL—S. 962—THE RESULT OF THE FOREGOING
CONSIDERATIONS

The provisions of the present bill are designed to meet the many problems of policy and administration that practical experience and congressional discussion have raised. It is predicated on the assumption that education and child care are properly under the control of the several States, but that the National Government, insofar as it has a direct interest in the maintenance of farm income and in a healthy citizenry, should use its resources to aid and encourage the States in this work. The method utilized, therefore, is of grants-in-aid to the several States, with the States matching out of their own revenues the funds provided under this bill—first, on a dollar-for-dollar basis, and then in an increasing ratio so that any State will finally bear 75 percent of the cost of the program. By this method, also, the administration is left largely to the several States, with the Federal Government laying down certain standards to which the States must conform. Because of the essential food and agricultural features of the program, the Department of Agriculture is the logical and proper agency to undertake the supervision of the nutrition and direct distribution aspects of the bill. Because of the educational features of the program, the experience and background of the Office of Education will be utilized. Accordingly, the instant bill is a two-title measure.

Under the first title, approximately three-quarters of the funds available are apportioned to the States and payments are made to the schools through a State educational agency solely for the purchase of foodstuffs for children's lunches. Using about one-quarter of the funds available, the Secretary of Agriculture also directly contributes foodstuffs purchased by him for the children's lunches. Under Title II of the bill, the United States Commissioner of Education is empowered to apportion funds, according to the same formula as used by the Secretary of Agriculture, among the several States for education in nutrition and for supervisory purposes, facilities, and equipment in connection with the school-lunch program.

There follows a detailed statement of the various provisions of the bill, as amended:

TITLE I

Section 101 authorizes the appropriation for each fiscal year beginning with the fiscal year ending June 30, 1947, of a sum not exceeding \$100,000,000 to enable the Secretary of Agriculture to carry out the provisions of title I.

Section 102 provides for the apportionment of these funds among the several States, Alaska, the Territory of Hawaii, Puerto Rico, and the Virgin Islands. Not less than 75 percent of the total appropriated

shall be apportioned among the States on the basis of two factors, viz, (1) the number of school children in the State and (2) the relative need for assistance in the State as indicated by the relation of the per capita income of the United States as a whole to the per capita income of the State. The application of the formula for the initial apportionment for the fiscal year of 1947 is shown in table III below. The apportionment for use in Alaska, the Territory of Hawaii, Puerto Rico, and the Virgin Islands is limited to \$3,000,000. It is further provided that statistics for the calculation of the number of school children and per capita income shall be obtained from the Department of Commerce. "School" is defined as a public or nonprofit private school of high-school grade or under, and, with respect to Puerto Rico, shall include nonprofit child-care centers. If any State does not utilize the funds apportioned to it, the amount not utilized shall be reapportioned to the other States if they indicate that they can so use the money. Likewise, any additional funds that may be available under this title can be added to the apportionment of any State.

Section 103: A maximum of 4 percent of the funds appropriated are made available to the Secretary for administrative expenses. After the amount directly apportioned to the States according to section 102 is also deducted from the total available, the remainder of the money shall be available to the Secretary for direct expenditure by him for agricultural commodities and other foods for direct distribution to States and schools participating in the program. In connection therewith the Secretary may use these funds for purchasing, exchanging, processing, distributing, disposing, transporting, storing, and handling the commodities and for the purpose of paying inspection costs, commissions, and other incidental costs. These latter authorizations are the same as those provided in connection with the purchase and disposition of surplus agricultural commodities under section 32 of the act approved August 24, 1935 (49 Stat. 774), and are incorporated in this section by reference.

Section 104: The funds apportioned to any State shall be disbursed by the State educational agency to schools in the State to assist them in supplying agricultural commodities and other foods for consumption by children in school lunches. The money shall be paid to the State by the Secretary in accordance with agreements between the Secretary and the State educational agency, the provisions of which shall not be inconsistent with the provisions of this act. The payments to the State shall be upon the condition that the State match the grant during each year from sources within the State in accordance with the following table:

Fiscal years 1947 to 1950, inclusive.....	\$1 for \$1.
Fiscal years 1951 to 1955, inclusive.....	\$1 for \$1.50.
Thereafter.....	\$1 for \$3.

The determination whether the matching funds have been expended by the State in connection with the school-lunch program under this title shall be made by the Secretary. The reasonable value of donated services, supplies, facilities, and equipment, as well as proceeds from the sale of lunches as certified by the State educational agency, may be regarded as funds from sources within the State. The matching

provisions are made applicable also to schools receiving funds pursuant to section 108 (d) below.

Should the State's per capita income be less than the per capita income of the United States, the matching requirement on the part of the State shall be decreased by the percentage which the State per capita income is below the per capita income of the United States.

The grants shall be paid on certificates to the Secretary of the Treasury. The State agency is authorized to determine against which title of the act its matching funds may be applied if the total matching funds of the State are insufficient to cover the matching funds required by each title of the act.

Section 105: The distribution of funds to schools by the State educational agency shall be in accordance with agreements entered into between the State educational agency and the schools, which agreements are subject to the approval of the Secretary. The State educational agency shall determine the eligibility of any school in the school-lunch program, the standards being need and attendance. Reimbursement to a school shall be solely for the cost of the foods obtained, although this cost may include processing, distributing, transporting, storing, and handling. Administrative, supervisory, or personal-services expenses are excluded.

Section 106: The lunches served by schools must meet the minimum requirements prescribed by the Secretary and shall be served without cost to those children whom the local school authorities determine are unable to pay for the lunch. No discrimination may be made against a child because of his inability to pay for the lunch. The program shall be operated on a nonprofit basis and, so far as possible, utilize commodities donated by the Secretary or declared by him to be in abundance.

The Secretary may donate commodities purchased under the authority of section 32 of the act of August 24, 1935 (49 Stat. 774), to schools participating in the program as well as to other schools carrying out nonprofit school-lunch programs. Such donations are recognized as proper disposition of commodities so purchased and may be made by the Secretary without the findings usually made in connection with section 32 dispositions, such as diversion from normal channels of trade and commerce.

Section 107: Neither the Secretary nor the State may impose any requirement with respect to instruction or teaching personnel. No funds available under this title shall be paid to any State or school if it discriminates, in carrying out its functions under this title, because of race, creed, color, or national origin of children, or in any State which maintains separate schools for minority and majority races, or if it discriminates between schools on this account.

Section 108 (a) requires the State educational agency and schools to keep accounts and records of their activities in the school-lunch program, which shall be available for inspection and audit by the Secretary. The records shall be preserved for such period of time as the Secretary shall determine, not in excess of 5 years.

Section 108 (b): The Secretary shall incorporate in his agreement with the State educational agency the express requirements under this title, so far as they may be applicable, and such other provisions that are, in his opinion, necessary to effectuate the purposes of this title. In operating a program such as the school-lunch program, diverse and

unforeseeable conditions arise in different States at different times which cannot be explicitly provided for in the act and must necessarily be left to the determination of the Secretary in the formulation of individual contracts.

Section 108 (c) contains several definitions. "State educational agency" may mean, as the State legislature may determine, the chief State school officer or board of education. However, for the period ending June 30, 1947, the State educational agency may mean any agency or agencies designated by the governor to carry out the functions required of the State educational agency. A "nonprofit private school" is defined as any private school exempt from income tax under section 101 (6) of the Internal Revenue Code, as amended.

Section 108 (d): In most of the States, constitutional or statutory provisions prohibit State educational agencies from distributing Federal funds or matching Federal funds for distribution to private schools. In such instances the Secretary is authorized to withhold the proper proportion of Federal funds and expend these funds directly to nonprofit private schools subject to the same general conditions and matching requirements as in the State expenditures to public schools. If the State agency can expend the money for nonprofit private schools, all the funds will be paid to the State agency.

TITLE II

Section 201 authorizes the appropriation for each fiscal year beginning with the fiscal year ending June 30, 1947, of a sum not exceeding \$15,000,000 to enable the United States Commissioner of Education to carry out the provisions of this title.

Section 202 specifies the method of apportionment and payment to the States of the funds appropriated under title II. The Commissioner may, however, use as much as \$175,000 of the funds under title II to defray his expenses in performing his functions under that title. The apportionment to the States shall be made in accordance with the provisions of section 102 governing the apportionment of funds to the States under title I, but a State shall receive not less than \$10,000. The apportionment of funds under title II for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands shall not exceed \$450,000. The funds paid to any State under this title shall be used by the State educational agency, either directly or through grants to schools and school systems, to establish, maintain, operate, and expand school-lunch programs, to provide related nutrition education, and to provide and train technical and supervisory personnel and to provide equipment and facilities for such programs. Funds under title II cannot, however, be used for the acquisition, construction or alteration of buildings, or for the purchase of land or food.

The funds paid to any State under title II may be paid to the State only upon condition that such funds will be matched during the respective year, in the proportion specified in section 104 for such State for that year by expenditures from sources within the State which are either expenditures specified in section 104 (a) or expenditures for the purposes for which funds paid to the State under this title may be used, not counting funds excluded from section 104 by the last sentence of section 108 (d) and expenditures which the State

educational agency has applied against the matching requirements of section 104. The funds may be paid to the State in quarterly installments.

Section 203: Any State plan for the administration of school-lunch programs shall contain the following provisions and the Commissioner shall approve the plan if in compliance with the provisions of this section. The plan shall be administered or supervised by the State educational agency. The funds paid under title II to the State shall be used only for carrying out the purposes of section 202 (b). The amount of such funds expended during any fiscal year, for administration or supervision for the State educational agency, shall not exceed 15 percent of the funds apportioned to that State for each year under title II. The distribution of funds under title I or equipment purchased with such funds may be made only to public schools and school systems of high-school grade or under. In some States, however, some nonprofit private schools of high-school grade or under receive public funds from the State. Therefore, it is provided that such nonprofit private schools of high-school grade or under shall be included along with public schools not receiving funds under title II. Nonprofit private schools which do not receive public funds from the State cannot share in the school-lunch program under title II. The distribution of funds or equipment under title II shall be made only to schools, as aforesaid, which undertake to furnish school lunches under agreements pursuant to title I or which satisfy the State educational agency that they will furnish school lunches on a nonprofit basis and in accordance with standards consistent with those established by the United States Department of Agriculture. Lunches shall be served without cost to those children who are determined by local school authorities to be unable to pay, and there shall be no segregation or discrimination because of inability to pay. If the State maintains separate schools for minority and majority races, provisions shall be contained necessary to assure a just and equitable distribution of the funds under this title for the benefit of such minority races. Such reports shall be submitted as the Commissioner may require.

Section 204 provides for action by the Commissioner with respect to the failure of the State to comply substantially with the State plan specified in section 203. Notice and opportunity for hearing are provided for. If the Commissioner finds, after the hearing, that there is a failure to comply substantially with the plan or any provision in it, the State agency shall be notified that it will receive no further payment under title II until the Commissioner is satisfied that there is no longer any failure by the State agency to comply, and until the Commissioner is satisfied, as aforesaid, there shall be no further certification for payment to such State. There is a right of appeal, within 30 days, from the decision of the Commissioner to withhold funds, to the United States district court, and such court shall have jurisdiction de novo as to both fact and law.

Section 205 directs the Commissioner to take all necessary measures to facilitate the promotion of adequate school-lunch programs and related nutrition education by the States.

Section 206 contains certain definitions. Among other terms, "State educational agency," "minority race," and "just and equitable distribution of the funds provided for the benefit of a minority race" are defined.

THE AMENDMENTS TO S. 962 ADOPTED BY THE COMMITTEE

1. On page 2, line 8, delete "1946" and insert "1947".
2. On page 2, line 13, delete the entire sentence beginning "For the fiscal year" and ending on line 18.
3. On page 5, line 5, delete "1946" and insert "1947".
4. On page 5, line 21, after the word "section" insert "and section 108 (d), respectively,".
5. On page 5, line 23, after the word "certified" insert ", respectively,".
6. On page 5, line 23, after the word "agency" insert "and, in the case of schools receiving funds pursuant to section 108 (d), by such schools".
7. On page 6, line 13, after the figure "II" insert "(and not withheld under section 108 (d))".
8. On page 10, line 9, delete the period after the word "agency", insert a semicolon and the following:

and (4) "nonprofit private school" means any private school exempt from income tax under section 101 (6) of the Internal Revenue Code, as amended.

9. Insert after line 9, page 10, the following new subsection:

(d) If, in any State, the State educational agency is not permitted by law to disburse the funds paid to it under this title to nonprofit private schools in the State, or is not permitted by law to match Federal funds made available for use by such nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under section 102 of this title the same proportion of the funds as the number of children between the ages of 5 and 17, inclusive, attending nonprofit private schools within the State is of the total number of persons of those ages within the State attending school. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within said State for the same purposes and subject to the same conditions as are authorized or required with respect to the disbursements to schools within the State by the State educational agency including, but not restricted to, the requirement that any such payment or payments shall be matched, in the proportion specified in section 104 for such State, by funds from sources within the State expended by nonprofit private schools within the State participating in the school-lunch program under this title. Such funds shall not be considered a part of the funds constituting the matching funds under the terms of section 104 or section 202 (c).

10. On page 10, line 15, delete "1946" and insert "1947".
11. On page 12, line 6, after the word "used" insert a comma instead of the semicolon and the following language: "not counting funds excluded from section 104 by the last sentence of section 108 (d) and".
12. On page 12, line 6, delete the word "excluding".
13. On page 12, line 11, delete "1945" and insert "1946".

TABLE I.—Community school-lunch program—Estimated¹ quantity and value of food which would be consumed in programs operating under S. 962

Food or food group		Quantity	Value
Milk.....	quarts.....	281,258, 141	\$43, 876, 270
Other dairy products.....	pounds.....	25, 323, 549	11, 015, 744
Meat.....	do.....	67, 842, 676	22, 591, 611
Eggs.....	dozen.....	22, 716, 083	13, 629, 650
Fruits and vegetables.....	pounds.....	720, 691, 060	72, 069, 106
Fats and oils.....	do.....	30, 824, 359	6, 534, 764
Cereals and cereal products.....	do.....	18, 670, 753	14, 749, 895
Sugar and other sweetening agents.....	do.....	33, 440, 149	2, 240, 490
Total.....			186, 707, 530

¹ Estimated on the basis of meal standard and matching requirements.

TABLE II.—Community school-lunch program—peak participation and cost by fiscal years ¹

Fiscal year—	Number of—		Fiscal year cost
	Schools	Children	
1937.....	3,839	342,031	(²)
1938.....	11,021	567,000	(²)
1939.....	14,075	892,259	(²)
1940.....	43,384	3,032,380	\$3,962,631
1941.....	67,559	5,040,550	13,711,011
1942.....	95,585	³ 6,896,220	23,332,801
1943.....	77,353	⁴ 5,925,883	23,364,573
1944.....	34,064	5,218,778	34,339,569
1945.....	42,405	6,638,024	⁵ 48,329,000

¹ Data not available prior to 1937. Participation data here given are unduplicated. Some schools applied for and received Federal assistance to their lunch programs through both direct donations of Government-owned commodities, and cash payments which were made for milk programs only until February 1943, and since that time have been made for complete lunches which meet Government standards.

² No break-down of direct distribution costs between school lunch and institutional and welfare distribution is available.

³ A large proportion of participants received lunches consisting of fresh fruit only.

⁴ Fewer commodities were available during 1943 for distribution because of the diminished necessity for price-support purchases. A large proportion of participants received lunches consisting of fresh fruit only.

⁵ June cost estimated.

TABLE III.—Community school-lunch program—apportionment of funds to States on the basis of \$100,000,000 appropriation under provisions of proposed legislation

Region and State:	Proposed apportionment
Northeast.....	\$15,868,800
Connecticut.....	496,800
Delaware.....	86,400
District of Columbia.....	187,200
Maine.....	417,600
Maryland.....	756,000
Massachusetts.....	1,584,000
New Hampshire.....	273,600
New Jersey.....	1,396,800
New York.....	3,895,200
Pennsylvania.....	4,651,200
Rhode Island.....	237,600
Vermont.....	194,400
West Virginia.....	1,692,000
Southern.....	22,636,800
Alabama.....	2,944,800
Florida.....	1,130,400
Georgia.....	2,793,600
Kentucky.....	2,700,000
Mississippi.....	2,880,000
North Carolina.....	3,650,400
South Carolina.....	2,167,200
Tennessee.....	2,599,200
Virginia.....	1,771,200
Midwest.....	16,768,800
Illinois.....	2,772,000
Indiana.....	1,540,800
Iowa.....	1,231,200
Michigan.....	2,145,600
Minnesota.....	1,483,200
Missouri.....	2,001,600
Nebraska.....	676,800
North Dakota.....	374,400
Ohio.....	2,606,400
South Dakota.....	403,200
Wisconsin.....	1,533,600

TABLE III.—Community school-lunch program—apportionment of funds to States on the basis of \$100,000,000 appropriation under provisions of proposed legislation—Continued

Region and State—Continued		Proposed apportionment
Southwest		\$12,261,600
Arkansas		2,253,600
Colorado		583,200
Kansas		878,400
Louisiana		1,886,400
New Mexico		518,400
Oklahoma		1,742,400
Texas		4,399,200
Western		4,464,000
Arizona		381,600
California		2,037,600
Idaho		288,000
Montana		266,400
Nevada		43,200
Oregon		381,600
Utah		331,200
Washington		590,400
Wyoming		144,000
Total ¹		72,000,000

¹ Allows for deductions from total appropriation, according to provisions of proposed legislation, as follows: (1) For administrative expenses, not to exceed 4 percent of the total, and for purchase of commodities for direct distribution, \$25,000,000; (2) for direct apportionment to Alaska, Territory of Hawaii, Virgin Islands, and Puerto Rico, \$3,000,000.

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued January 25, 1946, for actions of Thursday, January 24, 1946)

(For staff of the Department only)

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HIGHLIGHTS: House Rules Committee cleared school-lunch bill. House passed independent offices appropriation bill; rejected Johnson (Ind.) amendment to make appropriations available at rate of 25% each quarter. Agreed to Sen. George's request to remove secrecy injunction on inter-American coffee protocol.

HOUSE

1. INDEPENDENT OFFICES APPROPRIATION BILL, 1947. Passed, 299-6, with amendment this bill, H. R. 5201 (pp. 363-86). Rejected, 152-177, after having agreed to it in Committee of the Whole, Rep. Taber's (N.Y.) amendment prohibiting use of Budget Bureau funds for the operation of a Government information service (pp. 367-9) and, 158-170, Rep. Johnson's (Ind.) amendment providing that appropriations in the executive departments and independent offices become available at the rate of 25% per quarter (pp. 379-83). Rejected, 145-175, Rep. Taber's (N.Y.) motion to recommit with instructions to report back with amendments reducing by 10% all appropriations for personnel in every item of the bill except those for the Veterans' Administration (pp. 384-5). Rep. Dworshak, Idaho, inserted a Washington Star article setting out Comptroller General Warren's five-point program for reducing Federal expenditures (p. 377).
2. SCHOOL-LUNCH PROGRAM. The Rules Committee reported a resolution for the consideration of H. R. 3370, the school-lunch bill (pp. 360, 388).
3. MEAT PACKERS; LABOR. Rep. May, Ky., announced a meeting of the Military Affairs Committee for today at 10:00 a.m. to determine the policy relative to passage of Army meat trucks through picket lines (p. 361).
4. PERSONNEL; LEAVE. Received CSC's proposed legislation to amend the act relative to payment for accumulated leave to Government employees on separation from the Federal service. To Civil Service Committee. (p. 388)
5. SURPLUS PROPERTY; HOUSING. Received a Calif. Legislature memorial favoring release of surplus housing materials in Calif. for construction of veterans'

housing (p. 388).

6. U.S.E.S. The Rules Committee reported a rule for consideration of H.R. 4437, to return public employment offices to State operation (p. 388).
Rep. Doyle, Calif., spoke favoring Federal control of the USES (p. 361).

SENATE

7. F.E.P.C. Continued debate on S. 101, the FEPC bill (pp. 327-30, 332-56). During the debate Sen. Bankhead, Ala., discussed the effect of the bill on farmers and farmers' cooperatives and inserted an American Farm Bureau Federation letter opposing the bill (p. 340); and Sens. McClellan (Ark.) and Maybank (S.C.) discussed farm labor and cotton prices (p. 349).
8. COFFEE IMPORTS. Agreed to Sen. George's (Ga.) request that the injunction of secrecy be removed from a protocol extending the inter-American coffee agreement to Oct. 1, 1946. The protocol and letters are printed in the record. (pp. 330-1.)
9. PERSONNEL. Sen. Byrd, Va., inserted a table showing Federal employment by departments and agencies for Oct. and Nov., 1945 (pp. 331-2).
10. CLOTHING SHORTAGE. Sen. Green, R. I., inserted a R.I. Legislature resolution favoring investigation of the clothing shortage (p. 332).
11. PRESIDENTIAL SUCCESSION. The Privileges and Elections Committee reported without amendment S. Con. Res. 50, to provide for a joint congressional committee to study the question of Presidential succession and election (S.Rept. 892)(p. 332).

BILLS INTRODUCED

12. SURPLUS PROPERTY; VETERANS. S. 1757, by Sen. Maybank, S.C., (for himself and Sens. O'Mahoney, Wyo., and Chavez, Ill.) to provide higher veterans' preference in the Surplus Property Act. To Military Affairs Committee. (p. 357.)
13. ATOMIC ENERGY. H.R. 5230, by Rep. Celler, N.Y., to develop, conserve, and regulate the use of atomic energy, to promote and encourage such uses as may serve the economic welfare of the Nation, to prohibit its private exploitation, and to outlaw the military use of such energy through international compact. To Military Affairs Committee. (p. 388.)
14. SOCIAL SECURITY. H.R. 5234, by Rep. Bolton, Ohio, to authorize the Federal Security Administrator to assist the States in matters relating to social protection. To Judiciary Committee. (p. 388.)

ITEMS IN APPENDIX

15. FARM PROGRAM. Sen. Smith, N.J., inserted his N.J. Farm Bureau Convention address in which he outlined a four-point farm program; high production at fair prices, increased efficiency of production and marketing, conservation of soil, water, and forests, and expansion of free-moving foreign trade (pp. A211-2).
16. FARM PRODUCTION. Rep. Eaton, N.J., inserted a farm-organization report showing farm production in N.J. during 1945 (p. A207).
17. HAWAII. Del. Farrington, Hawaii, inserted a Territories Committee report recommending statehood for Hawaii and including statistics on agricultural resources and production (pp. A213-16).

NOMINATIONS

Executive nominations received by the Senate January 24 (legislative day of January 18), 1946:

DIPLOMATIC AND FOREIGN SERVICE

Leon L. Cowles, of Utah, now a foreign-service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America.

No. 9—5

THE JUDICIARY

UNITED STATES DISTRICT JUDGES

Hon. Jacob Weinberger, of California, to be United States district judge for the southern district of California, vice Hon. Harry A. Hollzer, deceased.

Frank M. Scarlett, of Georgia, to be United States district judge for the southern district

of Georgia, vice Hon. Archibald B. Loyett, deceased.

UNITED STATES MARSHAL

Al W. Hosinski, of Indiana, to be United States marshal for the northern district of Indiana. (Mr. Hosinski is now serving in this office under an appointment which expired July 3, 1945.)

House of Representatives

THURSDAY, JANUARY 24, 1946

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. McCORMACK.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou in whose presence we wait, we thank Thee for the history of our Republic. It is a goodly vine we have inherited. Its clusters of blessings hang richly, and its roots run out in many ways for the welfare of our people; its greatness is not dependent upon wealth or title, but upon character founded on personal integrity between man and man, between nation and nation. Teach us that this virtue alone never loses its enchantment, and this task will ever yield soul-deep satisfaction.

We praise Thee for Him who commands our supreme love, the light not only of one land or of one age, but the light of the world, and the greatest personal revelation of a merciful God, whose commandments are the ultimate law of our moral universe. Dear Lord, in Thy wondrous tenderness and wisdom, draw our country near, that tyranny and sin may no longer attain ancient power, but that our minds may be centered on justice and good will, putting aside all bitterness, anger, clamor, and evil speaking, and Thine shall be the glory and ours the blessing. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

RETURN OF PUBLIC EMPLOYMENT OFFICES TO STATE OPERATION

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 494), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4437) to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 3 hours, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Labor, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

SCHOOL-LUNCH PROGRAM

Mr. BATES of Kentucky, from the Committee on Rules, submitted the following privileged resolution (H. Res. 495), which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

ADDITIONAL COPIES OF REPORT TO COMMITTEE ON WAYS AND MEANS BY ITS TECHNICAL STAFF RELATIVE TO THE ISSUES IN SOCIAL SECURITY

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report (Rept. No. 1490) a privileged concurrent resolution H. Con. Res. 121, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the House Committee on Ways and Means be, and is hereby, authorized and empowered to have printed for its use 4,000 additional copies of the report to the committee of its technical staff relative to the issues in social security.

The resolution was agreed to.

A motion to reconsider was laid on the table.

A DEMOBILIZATION PROBLEM

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

[Mr. PHILBIN addressed the House. His remarks appear in the Appendix of today's RECORD.]

STRIKES AGAINST THE PUBLIC

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House

for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CURTIS. Mr. Speaker, the time is long overdue when this Government must take action to stop the strikes that are paralyzing the entire Nation. These Nation-wide strikes are occurring at the very time when every loyal American citizen should be doing his best for full production and reconversion.

Those of us who have repeatedly advocated and supported some corrective labor legislation have been erroneously labelled "antilabor." The time has come that those who are promoting these strikes and who are blocking legislation pertaining thereto should accurately be described as "antipublic."

These current strikes are not strikes against employers, they are strikes against the public, they are strikes against the United States and all it stands for. I ask you, are these strikes fair to the returning veteran who cannot buy the things he needs because there is no production? Are these strikes hastening the discharge of worthy members of our armed forces; are these strikes strengthening the hand of the United States at the peace table? Are these strikes fair to the taxpayers and bond owners of the United States?

Mr. Speaker, are these strikes fair to the farmers who receive such a small portion of the national income and who can never themselves strike?

Again, I say, those people responsible for our strikes and those who are blocking corrective action are most decidedly antipublic.

UNION DISCRIMINATION AGAINST RETURNED VETERANS

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include a letter from a returned serviceman.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. ANDERSON of California addressed the House. His remarks appear in the Appendix of today's RECORD.]

EXTENSION OF REMARKS

Mr. MANSFIELD of Montana asked, and was given permission to extend his remarks in the RECORD.

Mr. STEWART asked and was given permission to extend his remarks in the Appendix of the RECORD on two subjects, in one to include a letter from the Veterans' Associated GI Home Builders; and

Notwithstanding this fiasco, on October 12, a full month before the General Motors Strike, Henry Wallace, the Secretary of Commerce, volunteered a speech in which he advocated that the Government should help labor to obtain 15 to 20 percent—and some news articles say 25 percent—of its 30 percent wage increase demand, and allow compensating price increases where necessary to cover the higher labor costs.

A few days later newspaper headlines read, "Snyder says wages can be raised by industry without price increases," and some news articles alleged that he advocated a wage increase of 24 percent on this basis. John W. Snyder is the new head of the Board of Demobilization and Reconversion, and took over the job vacated by Davis when the Office of Economic Stabilization was conveniently abolished.

To top this all off, President Truman, in his wage-price policy speech of October 30, 1945, more than 3 weeks before the General Motors strike, backed them up with the following statement: "There are several reasons why I believe that industry as a whole can afford substantial wage increases without increasing prices." True, President Truman tries to straddle the issue by saying, "We must not kill the goose which lays the golden egg," and that after 6 months of losses under this policy, industry can apply for price increases.

Now, after the President and his administration leaders threw about these sparks and started the conflagration of strikes in which we find ourselves, how could we expect conservative labor leaders to stop the conflagration? What chance had collective bargaining? Why bother about the obligation of contracts? No conspiracy could have been more adroitly planned to bring about the crisis in which we find ourselves. And what is the motive? All real Americans are stricken with fear that the purpose is to destroy constitutional government and free enterprise, and have it taken over under a collectivist ideology, with the bureaucrats operating our industries. Is this treason? What else can it be?

Under the above-named conspiracy, there is little use in the American people looking to the administration for relief. They are looking to Congress, and Congress must act and immediately and remedially.

The simplest approach for Congress is to pass legislation requiring the incorporation of unions, which I think constructive union leaders and members will welcome.

Congress should also pass amendments to the Wagner Act, the National Labor Relations Act, and such other amendments as will require both management and labor to respect human rights and property rights, as well as responsibility for their respective obligations.

The public is looking to Congress to do this speedily and fearlessly, and while the relief will not be immediate, it will insure a legal concept that we must come to, sooner or later.

THE STEEL STRIKE

The SPEAKER pro tempore. Under previous order of the House the gentle-

man from Pennsylvania [Mr. EBERHARTER] is recognized for 10 minutes.

Mr. EBERHARTER. Mr. Speaker, today I introduced a bill to permit carry-back and carry-over of unused excess-profits credit only for costs of reconversion and loss of income attributable to reconversion.

On Friday, January 18, the giant United States Steel Corp. led the rest of the steel industry in thumbing its nose at the President of the United States and throwing this country into a shut-down of steel operations which will cripple our reconversion program. I know that the American people will be shocked to learn, in addition, that it is they, the American taxpayers, will be called upon to guarantee the profits of the steel industry out of the public Treasury. Under our present tax laws, if the arrogant rule-or-ruin attitude of the steel trust results in the production in 1946 of not a single ounce of steel, the Treasury of the United States may be called upon to deliver to the steel companies in the form of tax refunds amounts estimated to run as high as \$145,000,000.

This horrible anomaly is the result of a little-understood provision of our wartime excess-profits tax law. In that law we advised American industry that during the war years they would be permitted to earn a normal level of profits measured either by their prewar earnings or a reasonable percentage on their invested capital without payment of taxes other than the normal corporate tax. Where their earnings rose above those normal earnings we declared that these would constitute excess profits subject to a special excess-profits tax.

But we said something more—and there is the rub. We said that if after paying the taxes during the war years, any corporation in any one of the 2 years thereafter failed to earn that normal expected profit which we credited to them, they could take the amount by which they fell below that level, apply it as additional credit by a carry-back device into the preceding years in which they did pay excess-profits taxes and then demand a refund on their taxes.

For the year 1946 we went even further. We repealed the excess-profits tax law, but we kept on the books this provision for a carry-back. In other words, if a corporation earns its normal profits and more, it pays no excess-profits tax; but if that corporation earns less than the normal profit level which we allowed it, it can still demand those tax refunds out of the excess-profits taxes which it paid on its high earnings for the years before 1946. From here on out we said to these corporations, "It's heads you win; tails we lose."

The excuse was given that this was necessary in order to help these corporations out during the reconversion period. But today these corporations are shutting down their plants, not because of the necessity for retooling or preparing for peacetime production; they are shutting down their plants because the corporations themselves are going on strike against their own employees, against the President of the United States, against the people of the United

States. And the people, ironically enough, will be asked to finance this corporation sit-down strike by refunds out of the Treasury of the United States.

I say that this is an infamous imposition on the American people. To continue this law on our books in its present form is inexcusable. I have no objection to allowing these tax refunds for the legitimate purpose of aiding in reconversion to full peacetime production, but I shall do everything in my power to see to it that the law is changed so as to withdraw the benefits of these payments from the giant corporations such as those in the steel industry and the General Motors Corp., which have brought about strikes among their own employees by virtue of the arrogant refusal of these corporations to cooperate with the Government of the United States.

I must frankly that the Ways and Means Committee and the Congress at the time consideration was being given to refunds and credits on excess-profits taxes, it did not occur to them that these moneys thus saved would or could be used as a cushion by some corporation so inclined to finance a bitter struggle against organized labor, against strikes, and even against the principle of collective bargaining. I am sure that if any thought that the present situation would arise had entered the minds of some Members, there would have been greater opposition to these provisions. Thus a provision intended solely to help reconversion is being used to thwart reconversion.

Mr. Speaker, I wish also at this time to call attention to the bill (H. R. 5180) introduced 3 days ago by my colleague the gentleman from West Virginia [Mr. BAILEY]. I commend him for promptly bringing the subject to the attention of Congress. My bill is considerably more moderate in its terms, inasmuch as it would pertain to, in a proportionate degree, only where corporations' refunds and credits were related to a work stoppage by reason of a labor dispute. Mr. BAILEY's bill would remove the benefit of unused excess profits and credit carry-back from all corporations.

(Mr. EBERHARTER asked and was given permission to revise and extend his remarks.)

EXTENSION OF REMARKS

Mr. ANDREWS of Alabama (at the request of Mr. SPARKMAN) was given permission to extend his remarks in the RECORD and include an editorial.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CHAPMAN (at the request of Mr. GREGORY), for today, on account of illness.

To Mr. AUCHINCLOSS (at the request of Mr. EATON), for 2 days, on account of official business.

ADJOURNMENT

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 49 minutes p. m.) the House adjourned until tomorrow, Friday, January 25, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE CENSUS

(Friday, January 25, 1946)

The Committee on the Census will hold hearings on H. R. 4781 on Friday morning, January 25, 1946, at 10 o'clock.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(Friday, January 25, 1946)

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 2 p. m. on Friday, January 25, 1946, to continue hearings in its study of operations pursuant to the Public Utility Holding Company Act of 1935.

(Tuesday, January 29, 1946)

There will be a meeting of the Federal Trade Subcommittee of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Tuesday, January 29, 1946.

Business to be considered: Commerce hearings on the bill (H. R. 2390) to amend the act creating the Federal Trade Commission, to define its powers and duties, and for other purposes.

COMMITTEE ON PATENTS

(Tuesday, January 29, 1946)

The Committee on Patents will hold hearings on H. R. 4143 in the committee room, 416 Old House Office Building, January 29, 1946, beginning at 10:30 a. m.

COMMITTEE ON THE JUDICIARY

(Wednesday, January 30, 1946)

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, January 30, 1946, on the bill (H. R. 2710) to provide for the detention, care, and treatment of persons of unsound mind in certain Federal reservations in Virginia and Maryland. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

(Monday, February 4, 1946)

The Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary will hold a hearing on Monday, February 4, 1946, on the bill (H. R. 5023) to amend an act entitled "An act to establish of a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

(Wednesday, February 6, 1946)

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, February 6, 1946, on the bill (H. R. 5089) to amend the First War Powers Act, 1941. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

972. A letter from the Acting Secretary of the Interior, transmitting the information that no exchanges of land were consummated during the calendar year of 1945, pursuant to the act of June 14, 1926 (44 Stat. 741; 43 U. S. C., sec. 869); to the Committee on the Public Lands.

973. A letter from the President, United States Civil Service Commission, transmitting a draft of a proposed bill to amend the act entitled "An act to provide for the payment to certain Government employees for accumulated or accrued annual leave due upon their separation from Government service," approved December 21, 1944; to the Committee on the Civil Service.

974. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of \$18,000, for the Panama Canal, to remain available until expended (H. Doc. No. 418); to the Committee on Appropriations and ordered to be printed.

975. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1946 for the Railroad Retirement Board, amounting to \$242,000 (H. Doc. No. 419); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules. House Resolution 494. Resolution providing for the consideration of H. R. 4437, a bill to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes; without amendment (Rept. No. 1488). Referred to the House Calendar.

Mr. BATES of Kentucky: Committee on Rules. House Resolution 495. Resolution providing for the consideration of H. R. 3370, a bill to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes; without amendment (Rept. No. 1489). Referred to the House Calendar.

Mr. JARMAN: Committee on Printing. House Concurrent Resolution 121. Concurrent resolution authorizing the House Committee on Ways and Means to have printed for its use additional copies of the report to the committee of its technical staff relative to the issues in social security; without amendment (Rept. No. 1490). Referred to the House Calendar.

Mr. DREWRY: Committee on Naval Affairs. S. 1618. An act to exempt the Navy Department from statutory prohibitions against the employment of noncitizens, and for other purposes; without amendment (Rept. No. 1491). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAY: Committee on Military Affairs. S. 1560. An act to amend the Service Extension Act of 1941, as amended, to extend reemployment benefits to former members of the Women's Army Auxiliary Corps who entered the Women's Army Corps; without amendment (Rept. No. 1492). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. McMILLAN of South Carolina: H. R. 5229. A bill to effectuate the purpose of providing employment for returning veterans, and for other purposes, by providing for the establishment of a three-platoon system in the Fire Department of the District of Columbia; to the Committee on the District of Columbia.

By Mr. CELLER:

H. R. 5230. A bill to develop, conserve, and regulate the use of atomic energy, to promote and encourage such uses as may serve the economic welfare of the Nation, to prohibit its private exploitation, and to outlaw the military use of such energy through international compact; to the Committee on Military Affairs.

By Mr. HENRY:

H. R. 5231. A bill to amend Revised Statutes 4921 (U. S. C. A., title 35, Patents, sec. 70), providing that damages be ascertained on the basis of compensation for infringement, as in actions for infringement in the United States Court of Claims; to the Committee on Patents.

By Mr. EBERHARTER:

H. R. 5232. A bill to permit carry-back and carry-over of unused excess-profits credit only for costs of reconversion and loss of income attributable to reconversion; to the Committee on Ways and Means.

By Mr. LANE:

H. R. 5233. A bill to permit civilian officers and employees of the United States and of the government of the District of Columbia to elect to receive United States savings bonds in lieu of leave; to the Committee on the Civil Service.

By Mrs. BOLTON:

H. R. 5234. A bill to authorize the Federal Security Administrator to assist the States in matters relating to social protection, and for other purposes; to the Committee on the Judiciary.

By Mr. LEMKE:

H. Con. Res. 122. Concurrent resolution to speed up demobilization of the unnecessary men in the armed forces; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States, to declare as surplus property all building materials held but not needed by the armed forces in California, and to effect the immediate release of such materials for housing construction, providing for preference to veterans in the purchase thereof; to the Committee on Expenditures in the Executive Departments.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States, to enact legislation reducing the age limit relating to old-age and survivors insurance, and to provide disability benefits to commence with disability; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT of Pennsylvania: H. R. 5235. A bill for the relief of Gustavo Ferretti; to the Committee on Immigration and Naturalization.

House Calendar No. 287

79TH CONGRESS
2D SESSION

H. RES. 495

[Report No. 1489]

IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 1946

Mr. BATES of Kentucky, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That immediately upon the adoption of this
2 resolution it shall be in order to move that the House resolve
3 itself into the Committee of the Whole House on the State
4 of the Union for the consideration of the bill (H. R. 3370)
5 to provide assistance to the States in the establishment,
6 maintenance, operation, and expansion of school-lunch pro-
7 grams, and for other purposes. That after general debate,
8 which shall be confined to the bill and shall continue not to
9 exceed two hours to be equally divided and controlled by the
10 chairman and the ranking minority member of the Commit-
11 tee on Agriculture, the bill shall be read for amendment
12 under the five-minute rule. At the conclusion of the reading

1 of the bill for amendment, the Committee shall rise and
2 report the same back to the House with such amendments
3 as shall have been adopted and the previous question shall
4 be considered as ordered on the bill and amendments thereto
5 to final passage without intervening motion except one
6 motion to recommit.

79TH CONGRESS
2^D Session**H. RES. 495**

[Report No. 1489]

RESOLUTION

Providing for the consideration of H. R. 3370,
to provide assistance to the States in the
establishment, maintenance, operation, and
expansion of school-lunch programs, and
for other purposes.

By Mr. BATES of Kentucky

JANUARY 24, 1946

Referred to the House Calendar and ordered to be
printed

CONSIDERATION OF H. R. 3370

JANUARY 24, 1946.—Referred to the House Calendar and ordered to be printed

Mr. BATES of Kentucky, from the Committee on Rules, submitted
the following

R E P O R T

[To accompany H. Res. 495]

The Committee on Rules, having had under consideration House Resolution 495, report the same to the House with the recommendation that the resolution do pass.



DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued February 20, 1946, for actions of Tuesday, February 19, 1946)

(For staff of the Department only)

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HIGHLIGHTS: House debated school lunch bill. Rep. Miller urged that USDA keep its price promises to farmers on hogs and suggested a price-bonus plan.

HOUSE

1. SCHOOL LUNCH PROGRAM. Began debate on H. R. 3370, the school lunch bill (pp. 1483-1511). Agreed to an amendment by Rep. Hall, N. Y., to show that the program is designed on a non-profit basis (p. 1504). Agreed to amendments by Rep. Flannagan, Va., to begin the authorization with the fiscal year 1947 rather than the fiscal year 1946, to deduct the amount allotted to nonprofit child care centers in determining the amount available to the Secretary for direct expenditure for agricultural commodities and foods, to provide that purchases by the Department shall be in accordance with needs as determined by the school authorities (pp. 1504, 1510, 1511).
2. CLOTHING SHORTAGE. Rep. Holifield, Calif., criticized the clothing shortage and recommended appointment of a clothing expediter (pp. 1511-13).
3. CLAIMS; APPROPRIATIONS. Received supplemental appropriation estimates for payment of claims (H. Docs. 470, 476, 472, 473, 477, 474). To Appropriations Committee. (pp. 1513-14.)
4. HOUSING. Received a Calif. Assembly memorial favoring S. 1592, the national housing bill (p. 1514).
5. FORESTRY. Received a Calif. Assembly memorial "relative to contemplated change" in OPA regulations on Douglas fir timber (p. 1514).
6. BUILDINGS.. In reporting H. R. 5407, relating to Federal buildings, the committee struck out the provision for a new GAO building. (For other provisions of the bill see Digest 20.)

BILLS INTRODUCED

7. HOUSING. H. R. 5515, by Rep. Mansfield, Mont., requiring that of available building materials and facilities 50% be used for constructing homes selling for \$5,000 or less, 25% for those selling for more than \$5,000, but not over \$8,000, and 25% for other purposes. To Banking and Currency Committee. (p. 1514.) Remarks of author. (pp. A911-2).
8. SURPLUS PROPERTY. H. R. 5517, by Rep. Curtis, Nebr., to authorize sale of surplus property to educational institutions at a price sufficient to cover costs of the sale. To Expenditures in the Executive Departments Committee. (p. 1514.)

SENATE

NOT IN SESSION. Next meeting Thurs., Feb. 21.

ITEMS IN APPENDIX

9. HOUSING. Rep. Patman, Tex., inserted "Congressional Record on the Air" radio script discussing housing legislation (pp. A887-8).
Speech in the House by Rep. Rogers, Mass., including a Washington Post editorial, urging legislation to give veterans priority in the purchase of Government surplus housing (p. A889).
Speech in the House by Rep. Lesinski, Mich., discussing the housing shortage in Detroit and urging passage of Wagner-Ellender-Taft bill (p. A889).
Rep. Patman, Tex., inserted an American Veterans of World War II letter urging Congress to put ceiling prices on old and new homes (pp. A897-8).
Rep. Sabath, Ill., inserted a Chicago Sun editorial favoring the Wyatt housing plan (pp. A916-7).
10. SCHOOL-LUNCH PROGRAM. Rep. Price, Ill., inserted Supt. Nickell's (Ill.) letter supporting H. R. 3370 (p. A892).
Rep. Stevenson, Wis., inserted Supt. Bardwell's (Wis.) letter favoring this program (p. A906).
11. PRICE CONTROL. Rep. Kopplemann, Conn., inserted Henry Wallace's speech favoring continuation of price control and praising Chester Bowles' administration (pp. A893-4).
Rep. Robertson, N. Dak., criticized OPA "red tape" and inserted a constituent's letter of complaint (p. A908).
12. FOOD PRICES: LABOR. Extension of remarks of Rep. Stewart, Okla., favoring an adjustment in prices for farm commodities in view of the increases granted to labor and including a Okla. farmers' organization resolution favoring the Case bill, H. R. 5262, as a control over strikes (p. A890).
13. GRAIN: FOOD PRICES. Extension of remarks of Rep. Miller, Nebr., urging that this Department keep its price promises to the farmers on hogs and suggesting an Omaha (Nebr.) Daily Journal-Stockman price-bonus plan as being much better and also a means of conserving the grain supply (p. A915).
14. SURPLUS PROPERTY. Extension of remarks of Rep. Miller, Nebr., criticizing the operation of the Surplus Property Act and including a Nebr. Veterans' organization resolution recommending changes in the Act to give veterans' priority for the property they need now (p. A916).

The Clerk read as follows:

Amendment offered by Mr. DOLLIVER to the committee amendment: Page 1, line 8, strike out "\$5,000" and insert "\$2,500."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KILPATRICK BROS. CO.

The Clerk called the bill (H. R. 3985) for the relief of Kilpatrick Bros. Co.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

MRS. JENNIE BURNISON

The Clerk called the bill (H. R. 7074) for the relief of Mrs. Jennie Burnison.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized, and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Jennie Burnison, Walla Walla, Wash., the sum of \$6,473.45. The payment of such sum shall be in full settlement of all claims of the said Mrs. Jennie Burnison against the United States on account of personal injuries sustained on September 22, 1943, when she was struck at the intersection of Spokane and Main Streets, Walla Walla, Wash., by a United States Army reconnaissance car: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contrary to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time and passed and a motion to reconsider was laid on the table.

NICHOLAS T. STEPP

The Clerk called the bill (H. R. 4560) for the relief of Nicholas T. Stepp.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000, to Nicholas T. Stepp, of Hendersonville, N. C., in full settlement of all claims against the United States for personal injuries, medical and hospital expenses as the result of an accident involving a United States Army truck on United States Highway No. 1, near Hoffman, N. C., on December 4, 1941: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, strike out "\$10,000" and insert "\$2,500."

Page 1, line 8, strike out "medical and hospital expenses" and insert "physical disability, and loss of earnings."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mrs. DOUGLAS of Illinois asked and was given permission to extend her remarks in the RECORD and include an editorial appearing in the Washington Post.

MAINTENANCE, OPERATION, AND EXPANSION OF SCHOOL-LUNCH PROGRAMS

Mr. BATES of Kentucky. Mr. Speaker, I call up House Resolution 495 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BATES of Kentucky. Mr. Speaker, this resolution makes in order the consideration of H. R. 3370, a bill providing for a permanent school-lunch program participated in by the Federal Government. The Committee on Appropriations has been coming to the Committee on Rules for the past 10 years getting a rule making this appropriation in order. The members of the committee felt that it was time that the House should take action and decide whether or not it wants to make it permanent legislation.

Mr. Speaker, I yield 30 minutes to the gentleman from Illinois:

Mr. ALLEN of Illinois. Mr. Speaker, I do not know of anyone on this side who is opposed to the granting of this rule or taking up this resolution for consideration.

I yield 8 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, H. R. 3370, the school-lunch bill now under discussion, is more important than many might think.

In voicing my opposition to this measure, I want it clearly understood that I do not oppose the objectives or goals sought by this particular piece of legislation. All of us, I am sure, want to see every child in America well fed, and

want all children to have hot school lunches each noon if it be possible. That, of course, would tend to build up the strength and health of the children throughout our whole Nation.

When the matter of school lunches first came to the attention of Congress, it was prompted by the knowledge that great agricultural surpluses were available in this country and that in order to dispose of such surpluses in a beneficial way, the hot school-lunch program would prove to be the vehicle necessary to do the job. So the program was instituted. Today we have legislation before us making the program permanent and calling for an initial appropriation from the Federal Government of \$65,000,000. Allotments are to be made to the various States on the basis of their national per capita income. Well-to-do States will start off their program by receiving as much Federal aid as they themselves put up. Poorer States will receive, in some instances, twice as much Federal aid as required of their respective State. Frankly, I am not quarreling as much with this State-proposed procedure as I am with the question, "Where is the Federal Government going to get the money?"—apologies to Congressman RICH.

Since the close of the war, it has been the earnest desire of many of us that we do some retrenching insofar as Federal finances are concerned. With an unprecedented Federal debt of around \$280,000,000,000, it might well be said that our country is broke and if not broke, then so close to it that it is not even funny. We just cannot continue to spend money we do not have. Surely all of us remember when, as children, it was a great desire on our part or of another member of the family to have some particular piece of equipment or household necessity purchased at once. But all too often, the man who paid the bill, namely, dad, would finally close the argument by saying, "Well, as much as I would like to see you have it, we cannot buy it now for the one and simple reason that we do not have the money. Let us wait until we are in a better financial position and then we will buy it." The voice of dad was merely the voice of experience and common sense being passed on to those of us who as children and youths thought we were entitled to most anything for which we had a desire. Now today, as older citizens and as those entrusted with the finances of Uncle Sam, it is high time that we exert comparable common sense in saying to the country, "Yes, many things are desirable but right now we cannot have them for we have no money in the Treasury; however, we do look confidently ahead to a day when we will be in a better financial position to achieve some of the worthwhile objectives that many citizens have in mind."

Yes, I repeat, the objective of hot school lunches is desirable but I do not believe Uncle Sam is presently in a position where he can or should spend \$65,000,000 to initiate such a permanent program. The purpose of the bill states that it is a measure for national security in order to safeguard the health and well-being of the Nation's children and

to step up domestic consumption of farm products. All of us know that there are no surpluses of farm products now nor is there very apt to be during the period of the next 2 or 3 years. So, the whole argument falls on the question of whether school lunches should be provided for all school children through financial aid of the Federal Government.

Right now, practically every State in the Union has from small to extremely large workable surpluses and balances in their State coffers. Similar financial assets have accumulated in the treasuries of most every municipality and town throughout the country. Therefore, if the hot school lunch program is necessary to build up the health and vigor of our Nation's children, then I ask you why does it not immediately become the responsibility of the various States, municipalities, and school districts to sponsor such a program and pay for it? They have the money so to do; Uncle Sam does not.

It very likely will be asked, "What is another \$65,000,000 which would be expended under this bill when in return we build up the health of all our children?" Let me reemphasize, I do not oppose such a health program but rather only do I oppose Uncle Sam being the present check writer, the one who must foot the bill. If Uncle Sam had the money, I would not say anything about it; but so that you may realize the seriousness of the situation, I repeat, Uncle Sam is broke. His financial lifeblood is being drained away, drop by drop. Let us not put another straw on his back which contributes toward making the load unbearable. Many, many requests of Congress for Federal financial aid have desirable purposes but if we cannot meet such expenses, then let us put them off until a better day. Proper cooperation between States, cities, and school districts surely can carry this program on until Uncle Sam is in a position to say "I now have my financial house in order and am willing to step in and help do the job."

Recently President Truman has stated that an annual budget of \$25,000,000,000 can be expected for many years to come. To a degree, that is startling. Right now we have the clamor from many people who feel taxes should be reduced but you cannot reduce taxes in the face of such terrific expenditures. Now it is proposed we add another \$65,000,000 to Uncle Sam's load for the coming year. There are other comparable projects which might make the \$65,000,000 look small, but regardless of any amount, they all add up to what may finally be the breaking point in Government financial stability.

Recently some figures were made available which disclosed that outside of the regular budget requirements for the year, the total of all requests for appropriations from Congress including proposed loans to the various countries who already have or shortly will ask for them, amount in the aggregate to between thirty-five and thirty-nine billions of dollars. Included in this is the proposed bonus legislation for veterans of World War II, and your guess is just as good as mine as to whether it will ever be paid, which reaches the staggering total

for this one item alone of \$13,000,000,000. Yes, Mr. Speaker, we may well stop, look, and listen, and then say, "Where are we going to get the money?" Surely there are enough level-headed individuals in this Congress who must view the financial future of this country with great fear. So I beseech of you that, for the time being, we hold up and refuse to pass any authorization calling for the expenditures of even one unnecessary dollar from Uncle Sam's depleted Treasury until our financial house is put in order. That day will come only after we have once balanced our budget and we start making regular annual payments toward the reduction of our national debt.

Today, I am not singling out the school-lunch program as only one item but rather I am making my appeal to the Congress to stop appropriations on all items calling for the expenditures of funds which can be put off until a better day.

This morning I found in my mail a very sizable stack of postal cards which came from school children in my district. Many of them apparently had been addressed by school teachers but in the rather uncertain handwriting of any young boy or girl, the message carried to me on these postcards was "I am in the fourth grade. Please do not take my hot school lunches away from me." This goes to show what intense pressure can be brought for the fulfillment of any program which any particular group sees fit to sponsor. No one wants to take hot school lunches away from any needy boy or girl but my whole purpose today is to emphasize that this responsibility must lie with the States, municipalities, and school districts for the time being, at least until Uncle Sam recovers from the terrific shock of a \$280,000,000,000 national debt incurred over the years because of deficit spending programs and World War II.

The greatest thing that we who are representatives of the people today can hand down to our children and their children's children, is a solvent Government, one capable of carrying on and making possible the continued freedom, blessings, and privileges enjoyed by this Nation throughout the years.

I repeat, let us stop appropriating money we do not have before it is too late.

Mr. BATES of Kentucky. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. Voorhis].

Mr. VOORHIS of California. Mr. Speaker, it seems to me that the most basic duty of all that we owe the children of America is to enable them to grow up into vigorous, robust men and women in order that they may have an even chance to carry the terrific problems which we shall leave for them to meet. It is time we said here that not again will we see our children in need of food, while food in abundance exists in the Nation and while our farmers cannot find a market for it all at a fair price. The argument of the gentleman from Illinois reminds me of the argument that one should not repair his roof in sunny weather because it does not leak and that he cannot repair it in rainy weather. I have heard over and over on this floor the charge that we do not

legislate basically on these matters and that we always leave it to appropriation bills to take care of these questions. Here the committee affords an opportunity for the consideration of one of the most forward-looking programs ever devised in this Nation. I trust that arguments which might be applicable elsewhere will not be used against this worthy program.

The SPEAKER. The time of the gentleman from California has expired.

Mr. BATES of Kentucky. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. McCormack].

Mr. MCCORMACK. Mr. Speaker, I listened with a great deal of interest to the remarks of my friend the gentleman from Illinois [Mr. ARENDS]. As I sat here listening to his arguments and the reason for it, the thought enters my mind that he clearly presented the issue of: "Dollar values" on one side against "human values" on the other side. That is the question today: Whether it is going to be "dollar values" on one side or "human values" on the other side where undernourished children in all sections of our country are involved. I see my friend rising. I yield to him, naturally, always, particularly after having made reference to his honest views with which I so sharply disagree.

Mr. ARENDS. I thank the gentleman from Massachusetts. I hope the gentleman does not draw the distinction that I set up dollars on one side and human values on the other side for the simple reason that I said I did not want Uncle Sam to participate in this program at this particular time since I feel and it is rather well recognized that the States, the municipalities, and school districts are in fine financial condition to carry out this program which is agreeable to me if they will assume the burden of it.

Mr. MCCORMACK. My friend says he is for the program, but is against this bill. It is rather difficult for me to reconcile those two positions. I realize that my friend, trying to reconcile them, throws it back on to the local community. But the answer to that is that the local communities are not in a position where the forces throughout the country can be marshaled so that they can carry on this program in the excellent manner which is necessary and in the very effective manner that it has been carried on in the past. Let us pause for a moment. The observation I have made about "dollar values" and "human values" is made with a profound respect for my friend, who is one of the most valuable Members of the House and for whom I have a strong personal feeling of friendship and respect. But he clearly has presented the issue which in a few words is the issue of dollar values on one side—"human values" on the other. The school-lunch program has certainly worked with the maximum of success. One hundred and forty million people constitute America from the infant child up. Our people are divided into all kinds of various economic groups. We still have millions of persons in this country who are not blessed with enough of the world's possessions to even bring to them the minimum needs of life. These children and these youngsters who are on the bad side of the ledger are the unfortunate

victims of undernourishment and bad housing conditions which produce citizens who have a difficult journey to make in order to obtain success through life. I have in mind, for example, the Chicago Back of the Yard Movement, a part of Chicago of a little over a mile square populated by 100,000 people. In that area crime was bred amongst the youngsters because they had no hope. Undernourishment, tuberculosis, and sickness of all kinds were rampant.

Constructive-minded persons there, with the leadership of the church, labor, and different organizations, got together and formed a voluntary community of their own, where they have their own Congress, as we have here. Members are elected, who legislate for the community. They have their own courts. They have their own organization functioning within that area. As a result of it they have brought hope to the people who live there and to the children. They have made remarkable progress in decreasing undernourishment, in lessening crime, in bringing about the suitable things of life which have been denied to the people living there. Hundreds of thousands of youngsters throughout the United States are similarly situated.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. BATES of Kentucky. Mr. Speaker, I yield the gentleman one additional minute.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. BROWN of Ohio. There is one question in my mind as to whether or not this bill, if enacted into law, will apply to all school children of America, or only to those who attend public schools.

Mr. McCORMACK. In title I, it would continue the same as it is now, to all schools; but under title II, it is different.

Mr. BROWN of Ohio. To parochial or private schools?

Mr. McCORMACK. Yes. Where the superintendent of a diocese in a Catholic school, a parochial school, has made application, it applies there the same as to public schools, but under title II the gentleman has a different situation. That is confined only to public schools. That raises a very grave question, I am frank to admit.

Mr. BROWN of Ohio. That is what I had in mind. I would like to ask the gentleman one other question. The gentleman has referred to the splendid operation of this program in the past, through the Federal Government. From my experience and from the hearings held, I question very much how effective and how efficient that administration has been, but this bill does change the method of administration, does it not, and puts the administration under the State authorities and local school authorities, rather than under the Federal Government, as it has been in the past?

Mr. McCORMACK. The gentleman is referring to title I?

Mr. BROWN of Ohio. I mean the entire bill. The money appropriated thereunder is handled by the States and the local school authorities, rather than under the administration to which the gentleman referred a few moments ago.

Mr. McCORMACK. My time has expired, and someone else can answer that, but title II, to which the gentleman particularly addressed his remarks, should be given serious consideration by the Members.

The SPEAKER. The time of the gentleman from Massachusetts has again expired.

Mr. BATES of Kentucky. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. KELLEY].

(Mr. KELLEY of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. KELLEY of Pennsylvania. Mr. Speaker, for the past year and a half, as chairman of the Committee on Labor Subcommittee on Aid to the Physically Handicapped, my attention has been somewhat more concentrated on problems of disability and disease than would normally be true. People become disabled through disease and accident.

I am, therefore, much impressed when I find that the first rule of good health, as approved by the United States Public Health Service, is: "Eat enough of the right kind of food."

The relationship between good health and good food is no longer a matter of argument—if, indeed, it ever was. It becomes more impressive with each new bit of knowledge our scientists uncover about vitamins, minerals, and the other component parts of food.

Improper diet is certainly a factor in the incidence of tuberculosis, in its treatment by present methods, and in resistance to the disease. In 1944 more than 50,000 persons died of tuberculosis. In 1942 we had more than 112,000 beds set aside for tuberculous persons, and these were not adequate to the need. This is only one waste of life and wealth and human happiness and well-being which can in part be prevented through the application of what we have learned about proper diet. One of the ways in which we can do this is to support, improve, and expand the school-lunch program.

Not every family has either the means or the knowledge to set before its children three times a day well-prepared, well-balanced meals. It is a more complicated matter than simply teaching children, so far as we know, of what foods in what quantities they should partake.

Good food will protect the body against the specific dietary diseases—pellagra, rickets, scurvy, and so forth. Good food is also the source of the body's strength, together with proper rest, exercise, and fresh air. And, since our doctors are not yet able to provide a serum, or a vaccine, or an anti-toxin against every disease and infection, it is the best protection we know against infectious diseases, which bring in their wake the damaged vision, the damaged ears, and the damaged hearts which may disable for life.

If we are not careless with the health of our children, the great numbers of physically handicapped in the Nation can be reduced. One of the safeguards we may intelligently and economically employ is the providing of the most ex-

cellent school lunch program we can devise.

The best aid which we can give the physically handicapped of the next generation is to prevent the occurrence of needless and unnecessary diseases.

Mr. BATES of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, for 10 years the Appropriations Committee has made it a habit to come before the Rules Committee at the last minute and ask for a special rule to make in order consideration of an appropriation bill carrying legislative provisions. We always resented it; nevertheless, in view of the importance of the provisions, we have yielded; and we were almost happy to yield to continue the school-lunch program.

Now for the first time, and after extensive hearings, the Committee on Agriculture has presented to us a splendidly and sanely drafted bill to provide basic law for the school-lunch program, which provides for an orderly and equitable distribution of the appropriated funds, and with authority for the actual expenditures placed in the hands of State and local officials.

The first purpose of the school-lunch program was to help use up surplus farm products in the most helpful way possible—to feed little children who otherwise might not have had a square meal all day. The program has met with universal approval. Welfare organizations of 40 States have endorsed the bill and asked for its passage. I have here many, many resolutions of endorsement; and in my office I have hundreds, yes, thousands, of letters from school teachers, from city officials, from civic clubs and leaders, from school children, social workers, ministers of all faiths, all urging passage of this bill.

I concede that during the first year or two the administration of the school-lunch program was deficient; some surplus products were misdirected; there were some laxities, perhaps. In more recent years, however, distribution has been economical, efficient, and orderly, and administration has been of the highest order. I do not know of any legislation passed by this Congress which has been of more direct benefit to the health and happiness of children, and the program has been free of any well-founded criticism.

The Committee on Agriculture carefully considered this measure. The bill they have reported, and that we have made an order of business in this rule, is well drawn, clear, and unequivocal. It is a bill that all of us who are interested in the welfare of our children and of our national agriculture should gladly and loyally support. It authorizes an appropriation of \$50,000,000 in the fiscal year of 1947, and makes available also any unexpended funds of the 1946 fiscal year. The bill places in the hands of the Secretary of Agriculture, in whom all farmers have a wise and true friend, the authority to determine the amounts allocated to the various States on a simple and sensible formula: 75 percent of the

appropriations is to be apportioned to the States on the basis of the number of school children between the ages of 5 and 17, and the relative need as indicated by per capita income; the remainder, less 3 percent for administrative expenses, is to be spent directly for the purchase and distribution of food stuffs to be distributed to participating schools; and the States are to share the financial burden on an increasing ratio. The bill also authorizes appropriation of \$15,000,000 to aid the States in their school-lunch and nutrition-education programs, to make America a nation of healthier boys and girls and men and women, and make our food go further.

I fully appreciate the fact that some of the gentlemen from the farm States will take the view that this legislation is not needed now because instead of the tremendous surpluses we had a decade ago we are facing shortages. True, there are no surpluses right now; but there may be in 1947, according to our friendly Secretary of Agriculture; and I assure you, Mr. Speaker, there is always, unfortunately, a surplus of empty little stomachs which ought to be filled with nourishing hot lunches. There may be some children who benefit from this program whose finances do not require such help; there may be some who are so well fed at home they would spend their lunch money for pop and ice cream; but I know there are thousands to whom it is a real boon. For my part, Mr. Speaker, I would just a little rather know that a few children got the help who did not need it, than to know that many children who needed the help could not have it.

Mr. Speaker, I do not know of any appropriation we have ever made that has been of more real benefit, and of a more humanitarian nature, than the appropriations to be authorized by this bill. Our children are our greatest national resource, and anything we do to make them stronger and healthier will help our Nation in the future. I think and feel and hope that we can all, on both sides of this aisle, join in passing the bill. I am gratified to note that my colleague, the gentleman from Illinois [Mr. ARENDS], though he faithfully calls attention to the national debt, has said he is in favor of this legislation.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. BATES of Kentucky. Mr. Speaker, I yield to the gentleman from Illinois one additional minute.

Mr. SABATH. I yield.

Mr. MICHENER. All I wanted to say was that, if I am correct—and the gentleman will correct me if I am in error—this program was instituted as an emergency measure in the time of the depression. There has never been any permanent law; it has never been considered as a permanent objective of the Federal Government. The bill made in order by this rule, if enacted, would make it permanent law. That is all there is to it. Am I right?

Mr. SABATH. That is right, so that the appropriations will be properly allocated in accordance with equity and justice.

The SPEAKER. The time of the gentleman from Illinois has again expired.

(Mr. SABATH asked and was given permission to revise and extend his remarks.)

Mr. BATES of Kentucky. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

CALL OF THE HOUSE

Mr. TABER. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. MCCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 25]

Andrews, N. Y.	Fisher	Norton
Baldwin, Md.	Gathings	Outland
Baldwin, N. Y.	Gearhart	Patterson
Barden	Gorski	Peterson, Fla.
Barry	Hagen	Peterson, Ga.
Beall	Hand	Phillips
Blackney	Harness, Ind.	Powell
Bolton	Hays	Randolph
Brumbaugh	Hendricks	Reece, Tenn.
Buckley	Hook	Reed, N. Y.
Buffett	Jarman	Robertson, Va.
Bulwinkle	Jennings	Robinson, Utah
Butler	Keogh	Roe, N. Y.
Byrne, N. Y.	Kerr	Schwabe, Okla.
Cannon, Fla.	Kilburn	Shafer
Celler	King	Short
Chapfield	Knutson	Slaughter
Coffee	LaFollette	Smith, Va.
Cole, Kans.	Landis	Starkey
Colmer	Lane	Taylor
Courtney	McConnell	Thom
Curley	McGregor	Thomas, N. J.
Dawson	McKenzie	Torrens
Ellsworth	Marcantonio	Winter
Engel, Mich.	Morrison	Wood
Ervin	Murdock	

The SPEAKER. On this roll call, 349 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. FLANNAGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 3370, with Mr. JACKSON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Virginia [Mr. FLANNAGAN] is recognized for 1 hour, and the gentleman from Pennsylvania [Mr. KINZER] will be recognized for 1 hour.

Mr. FLANNAGAN. Mr. Chairman, I yield myself 10 minutes.

H. R. 3370 provides the foundation upon which to build a sound, sane, strong, and permanent school-lunch program.

It looks to the betterment of two classes in America that are dear to my heart, in that it gives consideration to the children, whose health it will protect, and to the farmers, whose economy it will strengthen.

Years ago we debated the advisability of having a public-school system. There were those at that time who argued that the training of the mind was not a proper function of the State. Today, after years of trial, we are all in accord that our public-school system has been the cornerstone of our democracy. Today, as never before, we realize that while ignorance is the food upon which dictators are sustained, education is the source from which democracy draws its strength. Today we realize that the State is vitally interested in the training of the mind.

Today, as the debate on this bill progresses, there will be those who, while reconciled to the proposition that the training of the mind is a proper function of state, will question the proposition that looking after the health and well-being of the child is a proper function of the state. They, like many of those of the years of long ago, who, arguing against the free school, contended that education was a family problem, will contend that child health is a family problem. How they can accept the one proposition and reject the other; how they can disassociate the nurturing of the body from the training of the mind, is beyond my comprehension, and is for them to explain. Surely they are not unmindful of the fact that what affects the mind sooner or later affects the body, and conversely, what affects the body sooner or later affects the mind. Surely they are not unmindful of the fact that if we develop a strong, verile, intellectual race consideration will have to be given to the development and the training of the mind and body alike.

Our democracy is not the creature of intellectual weaklings any more than it is the creature of physical weaklings. It sprang from the loins of men of strong minds and bodies. And if it is to be preserved it will be preserved by the same kind of men. Yes, the state has a vital interest in the health and well-being of the child.

Is it the Constitution that has developed the opposition? Oh, the argument will be made by others that the health and education of the child are the function of the State, and if the Federal Government contributes, in any way, to the health and intellectual well-being of the child that we are embracing the paternalistic doctrines of the dictator nations, the Nazis and Communists. As I have stated, the dictator nations exist upon hungry bodies and befuddled minds. If you want to dispel the gloom of nazism and communism from the face of the earth, the thing to do is to feed and educate the peoples of those nations. A full stomach and a

trained mind will never embrace either nazism or communism.

Again I ask, is it the Constitution that has developed the opposition? While I admit that, primarily, the responsibility of nurturing and educating the child rests upon the State, I hold that the responsibility is a dual one, that the Federal Government also has a vital interest in the welfare of the child, that this interest is so great that it is impressed with a responsibility, and that there is nothing in the Constitution that prohibits the Federal Government, when in the wisdom of the Congress it is thought advisable, to step in and discharge that responsibility by grants-in-aid to the States. If I thought otherwise, then I would think that the responsibility of the Federal Government to the beasts of the field was greater than its responsibility to its citizenry, because annually we appropriate millions of dollars to administer to the ills of the hog, the steer, the cow, the horse, and to develop by cross breeding better strains and more millions to develop diets for chickens, ducks, and turkeys, horses, steers, cows, sheep, and hogs. And with a clear conscience, free from all constitutional restraints, you vote for these appropriations and so do I.

Now a few words as to the provisions of the bill. The bill provides basic, comprehensive legislation for aid to the States in the operation of school-lunch programs as permanent and integral parts of their school systems. For the past 10 years we have carried on, a school-lunch program under legislative authority included in the agricultural appropriation bill. Of course, this is a year-to-year program as the Appropriations Committee can only authorize the program 1 year at a time. This arrangement, while handicapped by its lack of permanency, has been highly successful, as shown by the following figures covering its 1945 operations:

<i>Public schools</i>	
Number of public schools.....	208, 235
Number of public schools under program.....	39, 467
Number of children attending public schools.....	24, 562, 473
Number of children in public schools under program.....	6, 120, 063
<i>Parochial schools</i>	
Number of parochial schools....	10, 049
Number of parochial schools under program.....	2, 970
Number of children attending parochial schools.....	2, 611, 047
Number of children in parochial schools under program.....	460, 650
<i>Child-care centers</i>	
Number of child-care centers....	1, 059
Number of children served.....	74, 000

This year it is estimated that 48,000 public schools are operating under the program, serving lunches to some 8,200,000 school children. In addition it is estimated that there are many public and private schools, serving lunches to some five or six million children, operating outside the program. Hence, the over-all picture is this: There are some fifty to sixty thousand schools serving lunches to some ten or twelve million children. In addition lunches are being served in some 1,000 child-care centers to some 75,000 children. The great drawback to the program, of course, is its lack

of permanency. This lack of permanency makes it very hard for the Department of Agriculture and the schools to plan ahead. This inability to plan their programs ahead keeps many schools, especially the poorer ones, from working toward the programs they would like to have. Moreover, this lack of permanency has kept many of the States from wholeheartedly entering into the school-lunch program.

H. R. 3370 is a two-title bill. Title I permanently establishes Federal assistance to a school-lunch program upon a firm basis. It follows much the same pattern that we have been following for the past 10 years. It establishes as the policy of Congress the dual objective of; first, expanding the market of agricultural commodities by encouraging domestic consumption; and second, improving the health of the children by providing a nutritional school lunch.

Title I of the bill, which applies to public and nonprofit private schools alike, calls for an appropriation of \$50,000,000, 75 percent of the funds to be paid by the Secretary of Agriculture to the State agencies and by the respective State agencies to the schools within the program. In States where the State constitutions prohibit the reallocation of funds to nonprofit private schools the Department of Agriculture is permitted to allot funds directly to such schools. Funds going to the States are apportioned on the basis of, first, the number of children from 5 to 17, inclusive, and, second, the need for assistance as indicated by the ratio of the per capita income of a State to that of the United States. Federal funds are matched in the beginning by State and local funds on a dollar-for-dollar basis, and the matching increases progressively as follows: 1948, two State dollars to one Federal dollar; 1949-50, three State dollars to one Federal dollar; 1951 and thereafter, four State dollars to one Federal dollar.

The plan worked out is a State plan. The funds are disbursed by the State agencies to the schools within the State pursuant to agreements entered into between the State agencies and the schools. The agreements, of course, must be in accordance with the provisions of title I and approved by the Secretary of Agriculture. And the bill expressly provides that neither the Secretary of Agriculture nor the State "shall impose any requirement with respect to administration, teaching, teaching personnel, curriculum, instruction, or material of instruction of any school."

As to the value of the school-lunch program to agriculture, let me give you a list of the farm products that went into the program during the fiscal year 1945:

Food or food group	Quantity	Value
Milk.....quarts..	134, 945, 663	\$21, 051, 523
Other dairy products..pounds..	12, 179, 131	5, 302, 295
Meat.....do.....	52, 467, 682	10, 825, 894
Eggs.....do.....	10, 825, 894	6, 517, 183
Fruits and vegetables..pounds..	345, 129, 491	34, 502, 123
Fats and oils.....do.....	14, 885, 605	3, 157, 101
Cereals and cereal products..pounds..	89, 911, 816	7, 103, 034
Sugar and other sweetening agents.....pounds..	16, 238, 841	1, 088, 002
Total.....		89, 547, 160

As to the value of the school-lunch program to the child: Let me call your attention first to the alarming picture developed by the selective service in connection with the drafting of our boys. Forty percent of the boys called up for induction were rejected because of physical disabilities. This is truly an alarming picture. When we go into the causes back of these rejections, we find the primary cause to be poor nutrition. General Hershey testified that 70 percent of the boys who had poor nutrition 10 or 12 years ago were rejected by the Selective Service. And remember poor nutrition is not confined altogether to the poorer families. Ofttimes children in the families of wealth, while given plenty of food of its kind, are given the wrong kind of food, and suffer from malnutrition.

Title II of the bill is new. It authorizes an appropriation of \$15,000,000, to be apportioned as provided in title I, but only to the public schools. The funds so authorized are to be used by the States, first, to employ and train school-lunch administrators, supervisors, and managers; second, to equip school-lunchrooms; and, third, to develop programs of nutrition education. The funds are channeled through the United States Office of Education to the States. The State educational agency must submit a State plan providing for (a) the development and supervision of school lunches by the State agency and limiting the costs resulting from these activities to not in excess of 15 percent of funds apportioned; (b) distribution of funds only to public schools and school systems of high-school grade or under—including nonprofit private schools of high-school grade or under which receive public funds from the State or any school system thereof for payment of teachers salaries; (c) such schools to furnish school lunches on nonprofit basis in accordance with nutritional standards determined by the State educational agency to be consistent with those established by the Department of Agriculture; and (d) such schools to serve meals without cost or at reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the lunch, and with no segregation or discrimination because of inability to pay.

The parochial schools complain because they are not included under this section. In my opinion, while the parochial schools are not included, they can readily obtain all the advantages of this section except the advantages provided for the securing of equipment. As to equipment, I believe the parochial schools should stand upon the same footing as the public schools. The committee thought otherwise. To my way of thinking, if it is right and proper to provide the parochial schools with food it is inconsistent to exclude them from the provision providing funds with which, for instance, to purchase a stove to cook the food on. Such a policy is in line with the reasoning of the mother who gave, if I may coin the phrase, prohibitive consent to her daughter to go swimming:

Mother, may I go out to swim?
O yes, my darling daughter,
But hang your clothes on the hickory limb
And do not go nigh the water.

This legislation has the endorsement of all of the great farm organizations.

It also has the endorsement of those vitally interested in the welfare of our children, such as the Parent-Teacher Association.

Let me give you a list of the organizations that have endorsed the bill:

- American Farm Bureau Federation.
- National Grange.
- National Cooperative Milk Federation Union.
- Cooperative League of United States of America.
- Dairymen's League Cooperative Association.
- National Council of Farmers Cooperative.
- National Farmers Union.
- American Dietetic Association.
- American Medical Women's Association.
- American Home Economics Association.
- General Federation of Women's Clubs.
- Girls Friendly Society.
- National Education Association.
- National Council of Jewish Women.
- National Service Star Legion.
- National Congress of Parents and Teachers.
- National Consumers League.
- United Council of Church Women.
- Independent Grocers Alliance.
- National Association of Chief State School Officers.
- American Medical Association.
- American Public Health Association.
- Women's National Homeopathic Medical Fraternity.
- Women's Trade Union League of America.
- American Association of University Women.
- Association for Childhood Education.
- Congress of Industrial Organizations.
- American Federation of Labor.
- United Retail, Wholesale & Department Store Employees (CIO), Laborers, and Nonpartisan League.

Now, Mr. Chairman, there are 208,235 public schools in America, with an enrollment of 24,562,000 children. Last year over 6,000,000 of those children participated in the program. In addition to that, there were many schools which had the school-lunch program that did not participate in the Federal program. If we combine the two we will find that out of our 24,000,000 school population some ten or eleven million received free school lunches last year.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield.

Mr. VOORHIS of California. I do not believe the gentleman means that ten or eleven million children received free school lunches. What he means is that ten or eleven million children had hot school lunches.

Mr. FLANNAGAN. I mean that ten or eleven million had a hot, nutritious lunch at noontime.

Mr. VOORHIS of California. That is right.

Mr. FLANNAGAN. And that those children who did not have the money to purchase the lunch were given the lunch free.

Mr. VOORHIS of California. That is right.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield.

Mr. DONDERO. Can the gentleman tell us the number of children who received school lunches through State organizations before this program was ever introduced by the Federal Government?

Mr. FLANNAGAN. I do not have those figures. There were very few of them. We had the school-lunch program in force prior to the inauguration of the Federal program, but in mighty few schools, mostly in city schools only.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. I wonder why the committee has taken out of this bill the language that would guarantee that in States where they have separate schools for white children and black children, the black children who I presume are as poorly nourished as the white children are not assured of participating in this program?

Mr. FLANNAGAN. Let me say to the gentleman that no discrimination has been made heretofore in the program with respect to race or color or creed, and no discrimination is made in this legislation. This program extends to every boy and girl in America whether white or black or whether Protestant, Catholic, or Jew.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Georgia.

Mr. TARVER. As chairman of the Subcommittee on Agricultural Appropriations that has been handling the appropriation for the school-lunch program throughout the years, may I say that there has never been a provision in the bill of the kind to which the gentleman referred in addressing his question to the gentleman. No complaint has ever been received by our committee of any discrimination in the use of the funds provided in the program.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. FLANNAGAN. Mr. Chairman, I yield myself five additional minutes.

The reason no complaint has been received is due to the fact no discrimination has ever been made.

Let me call the attention of the Members to the fact that this program has been carried on from year to year for 10 years, and we are going to have a school-lunch program whether you adopt this legislation or not. What we have attempted to do here is to work out a sound, sane, sensible school-lunch program along the lines that we have followed heretofore, though we put in many protecting provisions, and have brought this program as far as possible back to the States to be administered by State agencies.

Complaint has been made that Members have been receiving postcards from some of the school children. Evidently the Member has been annoyed by the children presenting their case to him. I

want to tell those gentlemen that it is not only the children of this land who are behind this program; this program has been endorsed by every farm organization in America, it has been endorsed by the medical associations, by the health authorities, by the association of State superintendents of schools, and by parent-teacher associations. During my service in Congress I have never seen a piece of legislation come before the Congress for consideration that had the backing that this bill has from the people from one end of this country to the other, regardless of race, creed, or color.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. Confirming what the gentleman has said that the Federal Government is shifting responsibility more and more to the States, as I understand it from the bill during 1946 and 1947 the Federal Government matches dollar for dollar with the States, but in 1948 it is \$2 the States put up to the Government's one, and in 1949 and 1950 \$3 and after that \$4.

Mr. FLANNAGAN. That is right. We start out with a 50-50 proposition, then increase the contribution of the States.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Georgia.

Mr. TARVER. In view of the fact that we are approaching the end of the 1946 fiscal year I presume that the committee intends to offer an amendment to change the year to 1947 instead of 1946 and the other years accordingly?

Mr. FLANNAGAN. The gentleman is correct. This program has been tried. It has been tested by the American people, and we bring to you today the endorsements of the farm organizations, of the civic organizations, of the school organizations, and of the parent-teachers associations, asking you to make this a permanent program so they can plan ahead of time and not labor under a program that may be cut off next year or the year after. They want some permanency placed in this program, and when you make it a permanent program in a few years you will see the program extended to every school in America. The reason it has not been extended in the 10-year period to all the schools of America has been due to the fact that it has been a temporary program. I do not know of any program that will accomplish more. When you look at the figures presented by selective service you will find that chiefly due to malnutrition 40 percent of the boys of America, when called to the colors, were rejected because of physical defects brought about largely by malnutrition during youth.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Colorado.

Mr. HILL. In making these funds available to purchase wholesome food for our school children, will the sale of soft drinks, candy, or gum on the school premises be in any way affected?

Mr. FLANNAGAN. It is not the intention of this proposed legislation to interfere in any way with the sale or consumption of any other wholesome foods and beverages made available on the school premises. It is the purpose of this program to provide a minimum nutritional standard. It is desirable to have available additional foods which would raise this standard.

Pursuant to authority granted in the House I file as a part of my remarks the following endorsements of the bill:

First. Endorsement of the American Farm Bureau, the National Grange, the National Council of Farmer Cooperatives, and the National Cooperative Milk Producers Federation.

Second. Endorsement of Charles W. Holman, secretary, National Cooperative Milk Producers Federation.

Third. National Farmers Union.

Fourth. Paul C. Stark, Director, Food Distribution Programs Branch, Production and Marketing Administration.

Fifth. National School-Lunch Room Conference.

AMERICAN FARM BUREAU FEDERATION, NATIONAL COOPERATIVE MILK PRODUCERS FEDERATION, NATIONAL COUNCIL OF FARMER COOPERATIVES, THE NATIONAL GRANGE,

February 14, 1946.

To Members of the House of Representatives of the United States:

The school-lunch program has the unanimous endorsement of all major farm organizations. Its principles are embodied in H. R. 3370 by Representative JOHN W. FLANNAGAN, chairman of the House Committee on Agriculture, a bill to establish a permanent system of Federal-State supported lunches for school children. Among the reasons why we favor enactment of this measure are:

Control of the program rests in the hands of the Secretary of Agriculture.

It places on a permanent instead of a year-to-year basis a program that already has proved its value in the improved nutrition of children. With a permanent program assured, additional schools will be encouraged to install equipment. Thus the program should produce increasing results for the expenditure involved.

The school-lunch program in general assures increased food consumption and consequently enlarged market for some farm products.

The annual appropriation of \$50,000,000 in title I does not put any additional strain upon Federal finances since about this amount has been annually spent by the Secretary of Agriculture from funds authorized by the Congress.

The proportion of State funds to that of Federal funds is increased each year until, in 1950 and thereafter, the States will be bearing 80 percent of the total cost.

As revised and reported, the bill in the main incorporates the recommendations of the farm organizations.

For the above reasons we hope that you will give us your support in carrying on and expanding the school-lunch work which already is helping more than 8,000,000 children.

Respectfully submitted by:

NATIONAL COUNCIL OF

FARMER COOPERATIVES,

By JOHN H. DAVIS,

Executive Secretary.

NATIONAL COOPERATIVE

MILK PRODUCERS FEDERATION,

By CHAS. W. HOLMAN, Secretary.

AMERICAN FARM

BUREAU FEDERATION,

By EDWIN A. O'NEAL, President.

THE NATIONAL GRANGE,

By A. S. Goss, Master.

NATIONAL COOPERATIVE MILK PRODUCERS FEDERATION, Washington, D. C., January 24, 1946.

LEGISLATIVE LETTER—CALL FOR ACTION
HELP PASS PERMANENT SCHOOL-LUNCH BILL

Every person receiving this "Call for action" is requested immediately to go into action in support of the Flannagan permanent school-lunch bill, H. R. 3370. This bill approved by the House Committee on Agriculture has now been given right-of-way by the House Rules Committee, and will come before the House for a vote within the next 10 days to 2 weeks, or less.

The Flannagan bill is of utmost importance to dairy farmers. For the past 10 years Federal support of school lunches has been an important means of disposing of temporary surpluses of farm products. Last year, without consideration of any surplus problem, 30.2 percent of all funds expended for school lunches purchased dairy products. For milk alone these purchases amounted to 23.2 percent of all expenditures.

In the past, Federal support of school lunches has depended upon year-to-year appropriations by the Congress. The Flannagan bill authorizes an annual appropriation of not to exceed \$50,000,000 to the Secretary of Agriculture for food purchases, and not to exceed \$15,000,000 a year to the United States Office of Education—all to be used in conjunction with State appropriations for nutritional, educational work, and financial assistance in setting up mechanical facilities in schools to provide hot lunches for the children. The bill requires the States to match funds, dollar for dollar in 1946 and 1947, \$2 of State funds for \$1 of Federal funds in 1948, \$3 of State funds for \$1 of Federal funds in 1949 and 1950, and thereafter at a rate of \$4 for \$1.

All of the national farm organizations including the Federation are supporting the Flannagan bill. It has widespread support from the National Parent-Teachers Association and other educational, civic and business groups. Despite this support there is a substantial opposition within the Congress.

WHAT YOU CAN DO

Let your Representatives know the views of your organization immediately. Urge every member of your legislative committee, your directors, and other local leaders to write individual letters at once. Let us know the response you get, but the immediate need is action.

CHARLES W. HOLMAN,
Secretary, the National Cooperative Milk Producers Federation.

FARMERS EDUCATIONAL AND COOPERATIVE UNION OF AMERICA, Washington, D. C., February 15, 1946.
Congressman JOHN W. FLANNAGAN, Jr., House Office Building, Washington, D. C.

DEAR CONGRESSMAN FLANNAGAN: Our organization wants you to know and requests you to make a matter of record before final action is taken on the school-lunch bill (H. R. 3370), which carries your name as sponsor, that we are solidly behind it.

We support the principles of the measure in the interest of improving the nutrition of our future citizens and in the interest of helping to eliminate agricultural surplus problems and thereby maintain an agricultural economy based on full production. That is what the farmers of this country want. They oppose a return to restricted production.

Any surplus disposal program requires Federal buying operations. The amount of funds provided in your bill are, in our opinion, inadequate and we are not wholly satisfied with the matching provisions. Nevertheless we consider the passage of the measure vital. The school-lunch program must not be allowed to lapse, and we hope that in the debate on the legislation Congress will

be persuaded substantially to increase the funds available for it.

Yours sincerely,

JAMES G. PATTON,
President National Farmers Union.

PRODUCTION AND MARKETING ADMINISTRATION,
DEPARTMENT OF AGRICULTURE,
Washington, February 18, 1946.

Hon. JOHN W. FLANNAGAN,
House of Representatives.

DEAR MR. FLANNAGAN: I am very pleased to comply with your request of February 15 for my personal views with regard to permanent school-lunch legislation as embodied in H. R. 3370.

The school-lunch program over the past 10 years has received Federal assistance in the form of commodities and in addition, more recently, cash reimbursement for food items bought locally. It is my sincere belief that this Federal assistance is essential to the continuance and expansion of the program and may be looked upon as a pump-priming operation to enable schools to plan locally for a community school-lunch program.

The school-lunch program reaches a two-fold goal in that it improves the nutrition of the Nation's children and provides an expanded market for agricultural commodities. Records compiled by the Selective Service during World War II have indicated that a large percentage of rejections could be traced to nutritional defects. A proper lunch at school, providing from one-third to one-half of the daily nutritional requirements, would undoubtedly have done much to correct this situation if it had been available generally to these young men during their early years. The school-lunch program provides a market for agricultural commodities both immediately and for the future. It provides an immediate outlet for large quantities of meat, eggs, butter, dairy products, fruits, vegetables and other foods. Furthermore, through its influence upon the dietary habits of the children and the families from which they come, expanded markets for many of these foods will be obtained continuously.

It is my sincere belief, therefore, that the school-lunch program is sound and should receive Federal assistance along the lines set forth in H. R. 3370.

Very truly yours,

PAUL C. STARK,
Director, Food Distribution Programs Branch.

FEBRUARY 9, 1946.

Whereas a national school-lunchroom conference, including representatives from State departments of education, nutritionists, parents' organizations, and farm and civic groups from 32 States of the Union, is being held at Chicago; and

Whereas House bill 3370 and Senate bill 962 are pending action by Congress; and

Whereas favorable action on such bills would insure a program to provide nutritious and body-building lunches for all school children; and

Whereas this program, started as an emergency measure, has become a great aid to the farmers in the orderly distribution of farm products and expansion of farm markets, as well as a spur to commerce and industry; and

Whereas this program will help to prevent a recurrence in the future of a condition of malnutrition disclosed by National Selective Service records; and

Whereas this program will give much-needed financial assistance to the development of a program of nutrition education, administered through State educational channels, which will result in improvement of the health and well-being of all school children: Therefore be it

Resolved, That this body, assembled at Chicago, hereby respectfully urge the Members

of Congress to take favorable action on these bills.

Wayne Dent, Superintendent, Bay Public Schools, Bay, Ark.; R. R. Brounink, Superintendent, Fort Morgan Public Schools, School District No. 3, Fort Morgan, Colo.; Chris Hulgen, Manager of Cafeteria, Fort Morgan Public Schools, Fort Morgan, Colo.; Mrs. Eugene P. Callaghan, National Congress of Parents and Teachers, Washington, D. C.; Charles Holman, Secretary, the National Cooperative Milk Producers Federation, Washington, D. C.; Miss Thelma G. Flanagan, Supervisor of School-Lunch Program, State Department of Public Instruction, Tallahassee, Fla.; Mrs. Lucille T. Watson, State Director of School-Lunch Programs, State Department of Education, Atlanta, Ga.; Miss Rita Devlin, Director of School Lunchrooms, Springfield Board of Education, Springfield, Ill.; Stelle W. Graff, Supervisor of School-Lunch Program, State Department of Public Instruction, Springfield, Ill.; Noble Puffer, County Superintendent of Schools, Cook County, Ill.; Walter Hayes, 921 South Barr Street, Fort Wayne, Ind.; George Van Horne, Business Manager, Evansville Board of Education, Evansville, Ind.; Dr. Grace M. Augustine, Institution Management Department, Iowa State College, Ames, Iowa; Mrs. Helen McCleery Hubler, Director, Home Economics and Lunchrooms, Des Moines Public Schools, Des Moines, Iowa; Mrs. Bessie Brooks West, President of American Dietetic Association, Institution Management Department, Kansas State College, Manhattan, Kans.; Miss Elizabeth A. Sutherland, Director of Department of School Lunches, Louisville Board of Education, 1519 South Sixth Street, Louisville 8, Ky.; Watson Armstrong, State Director of Vocational Education of Kentucky, Frankfort, Ky.; Jack Bolwell, School-Lunch Director, Newport Board of Education, Newport, Maine; William P. Cooper, Director, Allegany County School-Lunch Program, Barton High School, Barton, Md.; Miss Marie Mount, School-Lunch Representative of American Home Economics Association, University of Maryland, Baltimore, Md.; L. A. Wiles, Divisional Director, Department of the Budget and School Lunchrooms, Detroit Board of Education, Detroit, Mich.; Miss Irene Netz, State Department of Health, Division of Child Hygiene, University Campus, Minneapolis 14, Minn.; A. R. Taylor, Supervisor of School-Lunch Program, State Department of Public Instruction, St. Paul, Minn.; Miss Eleanor Wilson, Supervisor of School Lunch Program, State Department of Public Instruction, Jackson, Miss.; George Mueller, Assistant Secretary, Kansas City School District, Kansas City, Mo.; Barton L. Kline, Superintendent of Schools, Gothenburg, Nebr.; Dr. Mary DeGarmo Bryan, Professor of Home Economics, Teachers College, Columbia University, New York City, N. Y.; Col. Harvey Allen, Director, Bureau of School Lunches, Board of Education, New York City, N. Y.; Margaret E. Prentice, Chairman, School Lunch Supervisors, State Department of Public Instruction, Albany 1, N. Y.; Miss Betsy Curtis, Supervisor of Lunch Rooms, Cincinnati Board of Education, Cincinnati, Ohio; Miss Bernita Marlow, Supervisor of Cafeterias, Toledo Board of Education, Toledo, Ohio; Miss Ruth E. Pool, Supervisor of School Lunch Program, State Department of Public Welfare, Oklahoma City, Okla.; Frances Livingston Hoag, Adviser of School

Lunches, Department of Public Instruction, Harrisburg, Pa.; Hon. P. Ernest E. Dupre, Mayor, city of Woonsocket, R. I.; Roger B. Leduc, Acting Mayor, city of Woonsocket, R. I.; J. C. Doggette, Brunson Public Schools, Office of Superintendent, Brunson, S. C.; W. H. Garrison, Supervisor of School Lunch Program, State Department of Education, Columbia, S. C.; Mrs. Ann H. Dick, Cafeteria Supervisor Public Schools, 624 Lamar Street, Knoxville, Tenn.; Frances Mae Nave, Supervisor of School Lunch Program, State Department of Public Instruction, Nashville, Tenn.; Mrs. Frances Daniel, Director, School Cafeterias, Wichita Falls Board of Education, Wichita Falls, Tex.; Miss Bena Hoskins, Lunchroom Director, Fort Worth Board of Education, Fort Worth, Tex.; Miss Grace Moffett, Lunchroom Director, San Antonio Board of Education, San Antonio, Tex.; Rodney A. Ashby, Supervisor of School Lunch Program, State Department of Public Instruction, Salt Lake City, Utah; Miss Lula Clegg, Superintendent of Schools, Wasatch County School District, Board of Education, Heber City, Utah; Miss Clematis K. Gardner, Director of Cafeterias, Richmond Public Schools, Richmond, Va.; Vernon A. Bachor, Superintendent of Valley Schools, Valley, Wash.; Martha Bonar, Supervisor of School Lunch Program, State Department of Public Instruction, Charleston, W. Va.; Miss Mable Bush, Elementary Supervisor, State Department of Public Instruction, Madison, Wis.; Guy P. Franck, Superintendent of Schools, Baggs Board of Education, Baggs, Wyo.; Gladys E. Hall, Executive Secretary, American Dietetic Association, 620 North Michigan Avenue, Chicago, Ill.; Mary T. Kavanaugh, School Lunch Representative, Chicago Dietetic Association, Chicago, Ill.; Mrs. Ethel Austin Martin, Director, Nutrition Service, National Dairy Council, 111 North Canal Street, Chicago, Ill.; Margaret Garibaldi, Executive Secretary, Chicago Nutrition Forum, Chicago, Ill.; Alice Cooley, President, National Dairy Council, Representative, Illinois Home Economics Association, Chicago, Ill.; Agnes Peterson, Nutritionist, Elizabeth McCormick Memorial Fund, 848 North Dearborn Street, Chicago, Ill.; Inez S. Wilson, Executive Editor, What's New in Home Economics, Chicago, Ill.; Marie Casteen, Editor, School Lunchroom Section, What's New in Home Economics, Chicago, Ill.; F. O. Washam, Director, Bureau of Lunch Rooms, Chicago Board of Education, Chicago, Ill.; Mrs. L. Robert Mellin, Member, Board of Education, city of Chicago; Mary Marks, Director, Bureau of Household Arts, Chicago Board of Education, Chicago, Ill.; Joseph B. Meegan, Back of the Yards Council, Chicago, Ill.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. KINZER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Chairman, there is probably not a Member of the House of Representatives who is better qualified than I, a father who has six children in the school systems of this country, to speak of the advantages of a hot lunch every noon for every school child. I want to say that there is no principle which should be more loudly heralded than to give every child

the opportunity to have a hot lunch, to aid in nutrition, building both mind and body. However, under the present arrangement, I, for one, cannot take advantage of this program because I cannot afford it. I cannot afford 25 cents a day for each one of my six-children to get a hot lunch, and if I cannot afford it, there are a good many others in the same position. I say that one of the weaknesses of this whole program is that it is still out of reach of the average family, and there is no opportunity presented so that a person can buy his child a good, hot lunch, at a reasonable cost.

I hope this bill will clarify such a situation, but I have seen no evidence of it yet. I cannot for the life of me see why it should cost 20, or 25, or 30 cents for every child to buy a hot lunch, when we are appropriating millions of dollars today to put a program of this kind over.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield to the gentleman from Virginia.

Mr. FLANNAGAN. Under the provisions of this bill, if there is any child in the gentleman's district unable to buy a school lunch, it is given to him free of charge.

Mr. EDWIN ARTHUR HALL. If that is the case, it should extend to just about everybody, because I do not know of anybody who could dig down into his pocket day after day, week after week, and month after month, and pay the prices they charge for school lunches at some of these cafeterias in Washington. I want to go on record now to say that if we are appropriating vast sums of money for school lunches, that money should not be diverted in administration or in directing or management to some other source but should be directed toward bringing down the cost of school lunches not to just a few but to every child who is going to take advantage of this program.

I am not so sure that there will not be some discrimination, the way this bill is written. We must proceed cautiously in order to guarantee that every school child will be able to take advantage of this program regardless of his race, creed, or color. I think you have left an opportunity in this bill for discrimination to raise its head and to thwart people of certain races from participation.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. I find on page 207 the form of application and contract put out by the War Food Administration. Question 6 is "Estimated average daily attendance: White —, Negro —, other —, total —." Why is it that the color of the child must be furnished in this application for Federal funds?

Mr. EDWIN ARTHUR HALL. The gentleman makes a good point. Race or religion should not enter into it. The children of all colors and all creeds should be considered equal. If we are going to participate in a fair program of hot lunches for school children throughout the country we should not have to draw the line on any school or any group. I am going to scrutinize

this bill very carefully, and I want to see a universal and just plan for school lunches adopted before I cast my vote for it.

Mr. FLANNAGAN. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, this is not a proposal upon which the House of Representatives is being asked to indicate its desires today for the first time. You have had this identical subject matter before you year after year for 10 years. You have voted nearly every year on the question, first, of whether you would adopt a rule waiving points of order against the school-lunch program, and you have adopted those rules. You have next voted upon whether or not you would adopt amendments to strike the school-lunch-program funds from the agricultural appropriation bill, and you have always refused to strike them from the bill. So that you are not today making an initial decision on this subject matter, you are simply deciding whether or not you will continue the type of program which you have heretofore authorized and provided for time after time again in the passage of agricultural appropriation bills. It is true the pending measure proposes some changes in the plan, some increase in State and local matching, and an appropriation to the Office of Education not heretofore carried; but on the whole the principle involved is substantially the same.

Men and women who have voted to spend hundreds of millions of dollars to assure a proper diet to children in foreign lands should think twice before they oppose a proposal to spend \$65,000,000 for a similar purpose for the children of the United States.

Personally, I think it is a wonderful program. It has worked in such a way as to occasion no criticism, so far as I have known, from any source in this country so far as any charge of discrimination or inefficiency in the handling of any funds is concerned. I feel that if there had been basis for criticism, it certainly would have been called to the attention of the Subcommittee on Agricultural Appropriations which in drafting agriculture appropriation bills have made provision for the continuance of this program. Any effort to amend the plan in substance, by changing provisions under which it has been carried on heretofore, by the injection of racial or other issues of that type is an effort only to destroy the program and to have the legislation in such form as to prevent its receiving the vote of those whose votes are necessary in order that it shall be enacted. I certainly hope that gentlemen will not be misled by the efforts of those who, in an effort to appeal to racial groups seek to inject such issues. They have not sought to inject them heretofore in connection with the enactment of legislation for the school-lunch program on agriculture appropriation bills, and it seems to me there is no reason why they should seek to inject them now.

This a program, as has been stated by the chairman of the Committee on Agriculture, which envisions for the next fiscal year this type of service to approxi-

mately 10,700,000 school children. In the present fiscal year, 6,600,000 approximately have been benefited by the program. It is not a matter of dolés or donations to children except insofar as school trustees may decide that certain children in their school districts are unable to defray the very small cost of the lunch which is served. Even in such cases, the lunch is accorded them in such a way as not to have the resemblance of charity in that they are permitted by personal services in connection with the preparation and serving of food to earn, in a way at least, the lunches which are served to them.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman.

Mr. JUDD. Am I correct in understanding that title I of this bill is essentially the program that has been in operation for the last 10 years?

Mr. TARVER. That is true.

Mr. JUDD. Then title II is different from what we have had previously?

Mr. TARVER. That is true. That is a new program which is being set up by the bill. Insofar as I am concerned, I do not feel that title II is essential to carry on the program in the way in which it has been carried on heretofore.

Mr. JUDD. Will the gentleman yield further?

Mr. TARVER. I have but little time and I feel unable to yield further to the gentleman at this time.

Mr. JUDD. It is not fair to say that this program is just a continuation because we are making a decision today with reference to title II. Title I is a continuation and title II is a new program.

Mr. TARVER. The question before you today is whether or not you are going to legislatively authorize this program. You have voted time after time on substantially that question. There are some amendments which might be proposed to this bill which I would feel obliged to support, but I do not feel I am in a position to revise the judgment of the Committee on Agriculture which has spent days and weeks studying this proposition and has brought here for our consideration the best bill that it was capable of drafting. Conflicting viewpoints of members of that committee had to be reconciled in order to have any bill reported. Conflicting viewpoints of Members of the House with regard to some features of the proposed legislation must be reconciled if any bill is to pass this House. I, for one, shall not insist that it be in the exact form in which I would have it before giving it my support.

I shall not, therefore, because of my feeling that the bill might be amended in certain particulars without harmful effect on the program and perhaps even with benefit, vote against the measure. If the measure is not in the shape in which you think it ought to be, offer the amendments you think should be adopted. We should authorize this program legislatively; if not in this form, then try to devise by amendment the form in which you think it should be enacted.

But do not destroy the entire program by failure to enact any bill at all. If you do that, then I assume you will not make the usual appropriation next week in the consideration of the Department of Agriculture appropriation bill for carrying on the program. So that unless you pass some legislation today, either in the form in which it is presented or in some amended form, you would be in effect destroying this very important and useful program.

Mr. JUDD. Mr. Chairman, will the gentleman yield further?

Mr. TARVER. I cannot yield further at this time.

These lunches are inexpensive. The class A lunch costs the Government 9 cents; a class B lunch is 6 cents; and a class C lunch 2 cents. The program started originally in an effort to aid in the disposition of surplus agricultural commodities. If you will examine the language of the pending bill you will find that that idea is still carried out by the pending legislation. It has been very helpful in affording a market for certain agricultural commodities, as well as helpful in improving the health of millions of school children in the United States.

Now, gentlemen talk of economy. I understand one gentleman has made the statement this morning that this program might result in an expense of half a billion dollars a year. That of course is absolutely impossible, because under the language of the bill the totals of the authorizations under the two titles are only \$65,000,000, and the program could not exceed that amount in cost.

Now, you have voted year after year on bills which it has been my privilege to bring before you from the Subcommittee on Agriculture Appropriations, for the expenditures in the aggregate of hundreds of millions of dollars to deal with Bangs disease, with tuberculosis in cattle, with hog cholera, and with various types of diseases which affect various types of domestic animals. That, of course, is important, but is it more important than the work of trying to do something to protect and promote the health of the school children of the United States? You can call it a socialistic program, if you so desire. If it is socialism, then I am for it, nevertheless, because it has proven its value. The fact that it may be dubbed as socialistic in character has no weight with me, for I know from evidence which I have had before my committee, from evidence which I have observed in visiting some of the schools in my State where the program has been carried on, that it is resulting in vast benefit to the school children of this country, far out of proportion to the amount of expenditure involved.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. LUTHER A. JOHNSON. Is there any difference in the formula with reference to the apportionment to the States in this bill than we have been using in the past 10 years?

Mr. TARVER. No, except this bill makes it specific as to the considerations which shall govern in the distribution of

the funds. Without that having been made specific in the language we have carried in the appropriation bills, that method of procedure has been substantially followed heretofore.

Mr. LUTHER A. JOHNSON. That has been the practice, has it?

Mr. TARVER. That has been the practice heretofore.

I certainly hope that the Committee may approve the bill in substantially the form in which it has been submitted, although as far as I am concerned I would be willing to support some types of amendment, but not amendments that would inject questions calculated only to kill the measure.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. KINZER. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. CLEVINGER].

(Mr. CLEVINGER asked and was given permission to revise and extend his remarks.)

Mr. CLEVINGER. Mr. Chairman, this school lunch bill has had a rather rigorous and stormy journey through the Committee on Agriculture. When it came before our committee—H. R. 3143, by the gentleman from Virginia [Mr. FLANNAGAN], May 7, 1945—it was not a \$50,000,000 bill; it was a \$100,000,000 bill. I might say to my colleague the gentleman from Ohio [Mr. VOYLES] that when it came there it included the antidiscrimination clause. That clause read to the effect that the funds could not be employed so as to discriminate between race, creed, color, or national origin of children or different types of schools, and so forth.

Concession after concession had to be made to get a favorable report from the Agriculture Committee on this bill. The Committee on Agriculture naturally should be closer to the farm than any other committee in this House. It realized that this, after all, is not much of a bill to dispose of agricultural surpluses, and some of us who are rather old-fashioned—and many of us who live in Ohio—remember the famous test case where the farmer carried the 49-cent wheat penalty through the courts, and got a favorable verdict from two United States judges only to be reversed when it got to the Supreme Court on the theory that what the Government subsidizes it controls. On that very theory, this title II of the bill which provides \$15,000,000 to the Commissioner of Education to set up this program within our schools means eventual Federal control of the school systems of the country. It means that he is taking over a program that has been carried on for many years in our schools; and we were reluctant enough to let the program get out of the hands of our local schools. There was a feeling of pride in the children when at lunch time they ate food that comes from their own farms, something quite different from what they would have by being bottle-fed by the United States.

So I say to you if you have some apprehensions that this bill is meant to feed something other than the child's alimentary canal you are right in your conclusion, because you will find, I think,

as the farmers of my State did in the matter of the wheat program—they never voted for the wheat program but the court said that the majority of them had, and that they were under it and participated in it.

If you participate in this thing you will find that under title II you have lost control of your free public-school system when the Commissioner of Education gets it well organized. You will find that it is the eyes and the ears of these school children of America that they want to feed, wrapping their purposes up as they always do in a "do-gooding" language. Good, wholesome food for the children is secondary with them.

We have had some strange things take place in the Agriculture Committee. We have had unnatural mothers advocate turning children of 3½ and even 2 years of age over to the care of the State. I wonder how far we are away from test-tube babies and raising them in a brooder like we do chicks? Has not a natural mother or parent of a child enough love for it to feed it?

I would say to my colleague from New York that I would not eat any lunch at noon myself if it meant no lunch for those children of his. We know that it is not that bad at all. But, seriously, through all of this aura of sanctity that has been thrown around this thing is the story of one concession after another to get it reported out of the Committee on Agriculture. And five members who voted for this bill in the committee, two of whom were in Europe. There were five absentees, though a large majority of the committee was present in the room when this was reported.

This matching program starts out 1-1; then 2-1, then 3-1, and then a 4-1 program to get it out, and we can reasonably infer that before long the matching will be in inverted proportion, putting the States on the short end of matching instead.

This bill will go over to the other body. It was originally a \$100,000,000 proposition, but it provides for less than one-quarter of the children of the United States. It can well cost a quarter of a billion dollars if you put it into universal application, especially with the rising cost of living. Even granting that this matching program is going to continue it does not require a State or a school to put up their matching in money.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. CLEVINGER. I have but a minute left. I will yield later if I have time.

This does not require any matching of money. The Federal contribution can be matched with services of one kind or another which are charged for, while Uncle Sam puts up the money.

I now yield to the gentleman from Mississippi.

Mr. ABERNETHY. I am interested, and the gentleman, too, is interested in the cost of the program.

Mr. CLEVINGER. Yes.

Mr. ABERNETHY. Does the gentleman recall any testimony before our committee as to what the bill would actually cost?

Mr. CLEVINGER. Last year, according to the figures of the War Food

Administration, 4,466,000 participated. That is about one-fourth of the children of school age in the United States; so you can easily multiply the cost by 4. But who can measure the loss of control of the public-school systems of America as these termites chisel away and chisel away into our public schools and at all the other public institutions of America? It is something to think about.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. KINZER. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I supported the original school-lunch program wherein agricultural surpluses were to be used for the school children of our country. It is rather difficult to oppose a program that will supply free food or good lunches for the school children of America, but there are certain features of this bill which I feel should be given careful consideration here today because the program is being made a permanent proposition.

I still favor school lunches, but I do not favor the creation of a new bureaucracy in Washington to tell the people of this country what they must do. I refer to title II of the bill in particular which creates a new department in the Bureau of Education. I will be frank about this matter. I will support the first part of the bill because it deals directly with food for school lunches. It means the distribution of food and the money with which to purchase it. This is really a continuation of the present program, although the idea of farm surpluses has been largely eliminated.

However, under title II of the bill you will find that a new agency is created within the Bureau of Education to supervise the distribution of \$15,000,000 every year to the States provided the States adopt a certain approved plan in connection with nutrition and the distribution of food; \$175,000 of the \$15,000,000 is authorized to take care of the expenses of the Bureau of Education. The amount \$175,000 is small as we deal with money nowadays, but \$175,000 is just the beginning for the Bureau of Education. You may look for additional requests as the program expands itself in the years to come and eventually we will have another large bureau in Washington to carry out policies and make further suggestions, which finally becomes a chart to tell the people what they have to eat and what they must do in order to secure Federal funds.

Mr. Chairman, it is a rather interesting thing to analyze how the idea for a permanent school-lunch program had its inception. A certain manufacturer of cafeteria equipment in Chicago got the idea that it would be a good thing for this country if he could start the program and sell his high-priced cafeteria equipment to the schools of the United States under standards set up by some official in Washington. He is strong for the Bureau of Education, especially as to the type of equipment and the type of everything they are using, including the matter of diet. Of course, they have to train and hire dietitians, nutrition-

ists, and others to formulate and issue the specifications.

When this bill was up for consideration in our committee there was not very much said about it. However, in my 20 years in Congress I have never seen such an intensive campaign for any similar bill. After I told one of the proponents of the legislation a few days ago that I intended to offer a motion to strike out title II, I was flooded with telegrams to "please leave title II in the bill." I believe that the House should have the right to vote on the question of whether or not they want to establish another bureau here in Washington, and I am therefore going to offer an amendment to strike out title II of the bill. I think we can materially improve the legislation, because it is quite apparent that the school-lunch idea will pass, but let us not create another agency in Washington to add to hundreds of agencies now existing that are eating out of the taxpayers' pocketbook.

I therefore trust that we can eliminate title II of the bill and then enact title I to actually provide for school lunches for worthy children.

Mr. FLANNAGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. GRANGER].

(Mr. GRANGER asked and was given permission to revise and extend his remarks.)

Mr. GRANGER. Mr. Chairman, a few days ago a man who usually can make the headlines out in Iowa told the people out there that the heifers and the pigs in Iowa were better fed than the children in Washington. This raised quite a storm back here among people who perhaps know all about the children of Washington but who do not know how they feed heifers and pigs in Iowa. Nevertheless I think the statement is true. I believe the farmers of the country and the people generally know more about diet for the welfare of livestock than they do about the necessary diet for a child. It is a very crude comparison, but it is a fact. We have spent millions of dollars in determining how to feed and care for livestock, but very little has been done by the Federal Government to determine just what constitutes an adequate human diet.

I am in favor of this legislation. As the gentleman from Ohio [Mr. CLEVELAND] said, it did have a long and tough journey through our committee and I sincerely hope that no amendments will be offered that will weaken the bill. It is my opinion that any further amendments might defeat the bill even though they were offered in all sincerity to improve it.

Perhaps one of the greatest educational factors that has come out of this war is the discovery of what a balanced diet can contribute to the health of an individual. Because of this experience I think that we ought to think in terms of national human welfare. As the chairman of our committee, the gentleman from Virginia [Mr. FLANNAGAN] said, 40 percent of the boys of this Nation, when they were called upon to serve their country, could not pass the required physical examination.

To improve the physical standards of the youth of this Nation it is, in my opinion, the responsibility of Government. I do not want the Department of Education to take over any responsibilities that belong to the State any more than anyone else. It is a step in the right direction and should be implemented.

It is my opinion that this country will be better able to defend itself, if it should be called upon to do so, by raising the physical standards of the youth of the Nation than by compulsory military training.

I think we should forget about some of this compulsory military training at this time and lend our efforts to bettering the lot of the people who someday might be called upon to defend our country.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. GRANGER. I yield to the gentleman from Kentucky.

Mr. CHELF. May I say to the gentleman that I can agree with the general theory of reduction of Government expenses. I think that when the time comes we will all be for that. But certainly we are in a reconversion period, and during such period we necessarily have to expend a certain amount of money in order to act as a cushion, more or less, against the many complex problems and troubles that are ahead of us. Most especially is this true insofar as our care, treatment, and obligations to our veterans is concerned. I am likewise against a lot of bureaus, as has been so well put here by our Republican Members and conservative Democrats alike, but when you boil the whole thing down, I want to go on record as saying that if it takes 15 bureaus or if we have to expend \$100,000,000 instead of \$50,000,000 to see that this humane program is carried through. I am for the bill, because I know full well that with this program—a smile will replace an unhappy expression of a child—a red rose color will supplant a pale or "pallored" look, and health will rule out an emaciated, undernourished condition of our school children. America owes this to our youth.

Mr. GRANGER. I am glad to get the gentleman's observation. I think the gentleman expresses the opinion of a great many people.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. GRANGER. I yield to the gentleman from New York.

Mr. WADSWORTH. I am asking the gentleman for some information concerning a certain feature of this bill which I find described in the committee report. I find on page 7 of the committee report near the top of the page this language:

The agencies, organizations, or institutions which may qualify as nonprofit child care centers under this section, and thereby receive funds for a lunch program operated not for profit, are nonprofit community centers, settlement houses, children's homes, child-aid centers, child day-care centers, playgrounds, boys' or girls' clubs, summer camps, or similar centers.

Is that not a very wide field, much of it extending far beyond the school system?

Mr. GRANGER. Yes, I agree with the gentleman. I think that is true. But after all, we are dealing with children.

Mr. WADSWORTH. Perhaps the gentleman would say whether it includes the Boy Scouts.

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. KINZER. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. MURRAY].

(Mr. MURRAY of Wisconsin asked and was given permission to revise and extend his remarks.)

Mr. MURRAY of Wisconsin. Mr. Chairman, if I am allowed, I will try to answer the inquiry of the distinguished gentleman from New York, as I think that part of the inclusion of that language in the bill was an attempt to take care of the foster homes in this country. The other groups were added on. In this country there are 2,240 foster home, with an enrollment of 242,000 children. These children need and deserve nourishment just as much as any other children in America.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from New York.

Mr. WADSWORTH. I notice in this same portion of the committee report that the language goes on to say that the term "nonprofit child care center" does not include an orphanage. I had understood that an orphanage was pretty close to a foster child home.

Mr. MURRAY of Wisconsin. The foster homes are supposed to be in the bill. That gives me a good starting point, because I have not been so much interested in what is in this bill as I have been in trying to get the bill out here on the floor of the House.

It has been brought out that for 10 years we have not had a chance really to discuss this bill. As a matter of fact, over \$1,000,000,000 has been appropriated for this and other purposes since I have been a Member of this House and I as a minority Member did not have a word to say about it. I do not like to go home and say, "They spent a billion dollars down there but I could not even have an opportunity to say anything about it." As a matter of fact, a Member of the majority party could not say anything about it either if the chairman of the Committee on Appropriations did not happen to want to give him the time to discuss it when it came back here after the conference report came back from the other body. I do not believe we need the Monroney suggestions for improvement of House Rules as much as we need to follow just some of the rules of fairness in legislation. We have had altogether too much sleight-of-hand legislation during the past few years. We have too many millions and billions added to the appropriations after the legislation leaves this body.

Let us forget all about the benefits to the grocer and that he is going to make so much money selling. Let us forget all about the farmers who are going to make so much money producing the food because, after all, forty or fifty million dollars, if it all went for food and fiber,

would not amount to much since the people of this country pay forty or fifty million dollars a year for food and fiber. The question to consider is the child itself. Is this good for the future citizens of America? That, to me, is the big issue which is involved. Is this an attempt and will this result in better boys and better girls in America? I might say that I received a wire from a man whom I have known for many years who wired for me to vote for the school-lunch program. I more or less facetiously, wired him back. He happens to be the secretary of a milk producers' association. He is selling milk and this would be getting rid of the surplus milk and it would be fine for him and the members of his association. So I wired him and told him I understood they were going to use powdered whole milk in this school-lunch program. Powdered whole milk can and will furnish milk to the schools at 8 or 9 cents a quart—just as good milk as you ever saw in a bottle in your life. Talking about nutrition, there is a nutritional fact that can be brought home to these children. I asked him if he would be in favor of the bill if they use powdered whole milk. I received his answer. He said he was not interested in it if they used powdered whole milk because he did not think the children were going to like that powdered whole milk. Then he was not satisfied with sending me the wire, but he wrote me a letter telling me all about it. From a nutritional standpoint, no man, woman, or child in the world can say that powdered whole milk is not just exactly as nutritious and just exactly as beneficial to the children of this country as it would be if it came in an ordinary bottle. I say for that reason let us not be influenced by any objective except the objective of the future of the children of this country. That is the basis on which we should vote on this legislation. I expect to support the bill, but title II must be clarified to merit this support.

Mr. FLANNAGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Chairman, may I take this time to read as part of my remarks a very brief resolution passed by delegates from 32 States this past week?

FEBRUARY 9, 1946.

Whereas a national school-lunch room conference including representatives from State departments of education, nutritionists, parents' organizations, and farm and civic groups from 32 States of the Union is being held at Chicago; and

Whereas House bill 3370 and Senate bill 962 are pending action by Congress, and whereas favorable action on such bills would insure a program to provide nutritious and body-building lunches for all school children; and

Whereas this program, started as an emergency measure, has become a great aid to the farmers in the orderly distribution of farm products and expansion of farm markets, as well as a spur to commerce and industry; and

Whereas this program will help to prevent a recurrence in the future of a condition of malnutrition disclosed by National Selective Service records; and

Whereas this program will give much needed financial assistance to the development of a program of nutrition education,

administered through State educational channels, which will result in improvement of the health and well-being of all school children: Therefore be it

Resolved, That this body, assembled at Chicago, hereby respectfully urge the Members of Congress to take favorable action on these bills.

Wayne Dent, Superintendent, Bay Public Schools, Bay, Ark.; R. R. Brourink, Superintendent, Fort Morgan Public Schools, School District No. 3, Fort Morgan, Colo.; Chris Huigen, Manager of Cafeteria, Fort Morgan Public Schools, Fort Morgan, Colo.; Mrs. Eugene P. Callaghan, National Congress of Parents and Teachers, Washington, D. C.; Charles Holman, Secretary, the National Cooperative Milk Producers' Federation, Washington, D. C.; Miss Thelma G. Flanagan, Supervisor of School-Lunch Program, State Department of Public Instruction, Tallahassee, Fla.; Mrs. Lucille T. Watson, State Director of School-Lunch Programs, State Department of Education, Atlanta, Ga.; Miss Rita Devlin, Director of School Lunchrooms, Springfield Board of Education, Springfield, Ill.; Stelle W. Graff, Supervisor of School-Lunch Program, State Department of Public Instruction, Springfield, Ill.; Noble Puffer, County Superintendent of Schools, Cook County, Ill.; Walter Hayes, 921 South Barr Street, Fort Wayne, Ind.; George Van Horne, Business Manager, Evansville Board of Education, Evansville, Ind.; Dr. Grace M. Augustine, Institution Management Department, Iowa State College, Ames, Iowa.; Mrs. Helen McCleery Hubler, Director, Home Economics and Lunchrooms, Des Moines Public Schools, Des Moines, Iowa.; Mrs. Bessie Brooks West, President of American Dietetic Association, Institution Management Department, Kansas State College, Manhattan, Kans.; Miss Elizabeth A. Sutherland, Director of Department of School Lunches, Louisville Board of Education, 1519 South Sixth Street, Louisville 8, Ky.; Watson Armstrong, State Director of Vocational Education of Kentucky, Frankfort, Ky.; Jack Bolwell, School-Lunch Director, Newport Board of Education, Newport, Maine; William P. Cooper, Director, Allegany County School-Lunch Program, Barton High School, Barton, Md.; Miss Marie Mount, School-Lunch Representative of American Home Economics Association, University of Maryland, Baltimore, Md.; L. A. Wiles, Divisional Director, Department of the Budget and School Lunchrooms, Detroit Board of Education, Detroit, Mich.; Miss Irene Netz, State Department of Health, Division of Child Hygiene, University Campus, Minneapolis 14, Minn.; A. R. Taylor, Supervisor of School-Lunch Programs, State Department of Public Instruction, St. Paul, Minn.; Miss Eleanor Wilson, Supervisor of School-Lunch Program, State Department of Public Instruction, Jackson, Miss.; George Mueller, Assistant Secretary, Kansas City School District, Kansas City, Mo.; Barton L. Kline, Superintendent of Schools, Gothenburg, Nebr.; Dr. Mary DeGarmo Bryan, Professor of Home Economics, Teachers College, Columbia University, New York City, N. Y.; Col. Harvey Allen, Director, Bureau of School Lunches, Board of Education, New York City, N. Y.; Margaret E. Prentice, Chairman, School Lunch Supervisors, State Department of Public Instruction, Albany, N. Y.; Miss Betsy Curtis, Supervisor of Lunch Rooms, Cincinnati Board of Education, Cincinnati, Ohio;

Miss Bernita Marlow, Supervisor of Cafeterias, Toledo Board of Education, Toledo, Ohio; Miss Ruth E. Pool, Supervisor of School-Lunch Program, State Department of Public Welfare, Oklahoma City, Okla.; Frances Livingston Hoag, Advisor of School Lunches, Department of Public Instruction, Harrisburg, Pa.; Hon. Ernest E. Dupre, Mayor, city of Woonsocket, R. I.; Mr. Roger B. Leduc, Acting Mayor, city of Woonsocket, R. I.; Mr. J. C. Doggette, Brunson Public Schools, Office of Superintendent, Brunson, S. C.; Mr. W. H. Garrison, Supervisor of School-Lunch Program, State Department of Education, Columbia, S. C.; Mrs. Ann H. Dick, Cafeteria Supervisor, Public Schools, Knoxville, Tenn.; Frances Mae Nave, Supervisor of School-Lunch Program, State Department of Public Instruction, Nashville, Tenn.; Mrs. Frances Daniel, Director, School Cafeterias, Wichita Falls Board of Education, Wichita Falls, Tex.; Miss Bena Hoskins, Lunchroom Director, Fort Worth Board of Education, Fort Worth, Tex.; Miss Grace Moffett, Lunchroom Director, San Antonio Board of Education, San Antonio, Tex.; Mr. Rodney A. Ashby, Supervisor of School-Lunch Program, State Department of Public Instruction, Salt Lake City, Utah; Miss Lula Clegg, Superintendent of Schools, Wasatch County School District, Board of Education, Heber City, Utah; Miss Clematis K. Gardner, Director of Cafeterias, Richmond Public Schools, Richmond, Va.; Mr. Vernon A. Bacher, Superintendent of Valley Schools, Valley, Wash.; Martha Bonar, Supervisor of School-Lunch Program, State Department of Public Instruction, Charleston, W. Va.; Miss Maybell G. Bush, Elementary Supervisor, State Department of Public Instruction, Madison, Wis.; Guy P. Franck, Superintendent of Schools, Baggs Board of Education, Baggs, Wyo.; Gladys E. Hall, Executive Secretary, American Dietetic Association, Chicago, Ill.; Mary T. Kavanaugh, School-Lunch Representative, Chicago Dietetic Association, Chicago, Ill.; Mrs. Ethel Austin Martin, Director, Nutrition Service, National Dairy Council, Chicago, Ill.; Margaret Garibaldi, Executive Secretary, Chicago Nutrition Forum, Chicago, Ill.; Alice Cooley, President, National Dairy Council, Representative, Illinois Home Economics Association, Chicago, Ill.; Agnes Peterson, Nutritionist, Elizabeth McCormick Memorial Fund, Chicago, Ill.; Inez S. Wilson, Executive Editor, "What's New in Home Economics," Chicago, Ill.; Marie Casteen, Editor, School Lunchroom Section, "What's New in Home Economics," Chicago, Ill.; F. O. Washam, Director, Bureau of Lunch Rooms, Chicago Board of Education, Chicago, Ill.; Mrs. L. Robert Mellin, Member, Board of Education, city of Chicago; Mary E. Mark, Director, Bureau of Household Arts, Chicago Board of Education, Chicago, Ill.; Joseph B. Meegan, Back of The Yards Council, Chicago, Ill.

The resolution is signed by representatives from 32 States.

The Agriculture Committee considered all these matters. This bill itself does not meet all the requirements that some of us would like to have it meet. But this is a good bill. It has been carefully studied out by not only the members of this committee but by various agencies and various groups who appeared before the committee. I trust you will vote for it.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. HILL].

(Mr. HILL asked and was given permission to revise and extend his remarks.)

Mr. HILL. Mr. Chairman, this is an interesting bill. I may say the Committee on Agriculture did go into every detail of this measure. I think we satisfied ourselves as to what this measure means.

I was quite interested in what the gentleman from Georgia [Mr. TARVER] had to say. I think he is quite right. If my memory serves me correctly, about a year ago someone stood up on this floor and asked the Members this question: "Is there any Member who wishes to make a point of order against this appropriation for hot school lunches for the boys and girls?" Not a single Member on the floor exercised his right. Now, because we bring in legislation to make this somewhat of an integrated, cooperative program, we find many of the Members who think it is their right and privilege—and it is—to oppose making this a permanent part of our program. The gentleman from Georgia [Mr. TARVER] mentioned that we had spent thousands of dollars on other matters, all directed from Washington. I ask you how you would take care of livestock diseases, and what proper method of dealing with hog cholera, TB in dairy cattle, and so forth, unless we had a proper center from which it could be operated and organized. There is no argument that is worth listening to that will tell you the great Government of the United States is such a big bad bear as some of you would make us think. This Government is just as good as we make it and not a bit better. It is just as evil as you shall have it. We, the people, determine this.

Now, this is a good measure. For 10 years this House has supported appropriations for this activity. Today we would like to organize it into some systematic program and send it out to the communities in these United States and ask them if they would like to cooperate with one another and with the State and work out a plan of hot school lunches which this United States Government would give them the opportunity to embrace.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HILL. Yes; I yield.

Mr. JUDD. The gentleman says the Committee on Agriculture has studied it carefully. Did you consult with the Committee on Education? Title II has to do with the Commissioner of Education. Our committee happens to be in the process of a considerable study of the entire functions of the United States Office of Education. I go along with you on title I—

Mr. HILL. Are you making a speech or asking me a question?

Mr. JUDD. Does the gentleman think that title II and title I are on a par?

Mr. HILL. I think they both belong in this bill, and I shall not support any amendment to strike out title II, because in title II we are trying to set up this program. There is nothing the matter with title II, regardless of all the argu-

ments you hear to the contrary. It does not set up a new department. I ask you to read the bill. I refuse to yield further, Mr. Chairman.

This does not set up any new department, and you cannot find it anywhere in the bill. If you can, you take your own time and show me where it is.

Another thing I would like to mention is, How do you get this program to work? You only get it to work by starting at the grass roots. In other words, the local school community must cooperate. If they do not want this program, if they do not wish to take any part in it, they do not have to. That is the American way. I believe we should leave the operation of these activities to the people back home. This is a bill where you have a chance to say you are in favor of the local people in school directing this program.

I would like to say to you, regardless of what opinion you may have, this measure says that the dollars appropriated by the Federal Government shall gradually decrease until the Federal Government is only paying 20 cents out of a dollar and the local people are paying 80 cents. I hope the time will come when the whole dollar the Federal Government appropriates will be eliminated. It can be done if we will use a little judgment this afternoon in setting up this organization.

Mr. PITTINGER. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield.

Mr. PITTINGER. As a matter of fact, the whole proposition in this bill is to get things so that the States will take over and the Federal Government get out?

Mr. HILL. Of course. It sets up that program as plain as any legislation can be stated.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield.

Mr. VOORHIS of California. I want to thank the gentleman for his remarks, and to say that as far as title II is concerned, and all the questions asked about title II, that title II makes absolutely no change in the present educational system in this Nation. All it provides is \$15,000,000 which may be made available for this purpose to State agencies as they now exist.

Mr. HILL. But in making it available to State agencies, the State agencies must go out and find local communities which will accept responsibility of carrying on this program.

Mr. VOORHIS of California. That is right.

Mr. HILL. What can be more cooperative than that? Do you have a better program to offer?

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. FLANNAGAN. Mr. Chairman, I yield such time as he may desire to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I am heartily supporting this legislation. As a schoolman and as a parent, I have seen its effectiveness and realize in part its great social value. Like many of my colleagues I, too, have received communications from my State urging me to support the school-lunch program. This urging

is entirely unnecessary, for I am glad to do so and have done so every time the subject matter has come before the House during my membership in it.

I heard it said by one of the opponents that this is a socialistic idea, and I heard the gentleman from Georgia [Mr. TARVER] say, "If this is socialistic, I am for it notwithstanding," which leads me to believe that the distinguished gentleman from Georgia understands clearly such loose labeling as the expressions, "socialistic" and "communistic" indicate. Mr. Chairman, as some would express it, the whole public-school system is socialistic or, as those using modern terminology would say, is communistic. Just think of it. Horace Mann got the jump on Moscow and started this general idea 100 years ago. This branding, or name calling, is another illustration of the clever American political game of switching labels.

In a committee only a few hours ago I was exasperated to the point of expressing myself rather forcefully about this confusion of terms and switching of labels. We were discussing the nature of our Government under the American Constitution, and I found it necessary to quote from William Tyler Page's the American Creed, that "ours is a democracy in a republic," and I went further to expand on my views about as follows:

If one will scan his eyes over America's political development, he will note that through the years in a perfectly constitutional manner, changes in the nature of our Government have been taking place in the direction of a pure democracy. We have not attained a pure democracy by any means and maybe it will be years before we attain a pure democracy here if we ever do attain it. However, the greatest statesmen and thinkers in all of America's history have aided and abetted the move in the direction of a pure democracy—in making meaningful the phrase "we the people do ordain and establish." The men and women who have aided in this work during more than 150 years extend from Thomas Jefferson, Benjamin Franklin, Andrew Jackson, Abraham Lincoln, Lucretia Mott, Elizabeth Stanton, Susan B. Anthony, Frances E. Willard, Theodore Roosevelt, Robert M. La Follette, Woodrow Wilson, and Franklin D. Roosevelt down to the present occupant of the White House. This list comprises only a few of the very many public servants who have worked in the direction of making this a government of the people, by the people, for the people, and truly expressive of the popular will.

So much for what may properly be said to be democratic and American and what is un-American. Our colleague the gentleman from Utah [Mr. GRANGER] spoke sincerely, contrasting care of livestock and children. It is true that in parts of our country livestock is cared for with more consideration than our human offspring. Through the years I have seen such instances and I can well imagine they still exist. Which reminds me of the well-known Greek cynic, Diogenes, who was not nearly so much of a fool as some people think. Diogenes went down from Athens to Corinth and attended a country fair. The weather at that time was rather chilly and old Diogenes saw some prize young animals wrapped up in blankets to keep them warm, but he noticed that the children were fanning around in the breeze virtually naked. Old Diogenes remarked:

"In this place it is better to be a man's ram than to be his son." The same thought has occurred to me in various parts of our country at such fairs, and that long before I ever read about Diogenes.

What a shameful thing that this greatest and richest Nation on earth in its mightiest crisis and in its hour of direst need, as during this and the other World War should find so large a proportion of our young men physically unfit for military service, mostly because they had not had enough to eat. That is a sobering fact and there is no denying it. My two sons were regarded as fit to put on the uniform and to be able to take what punishment the war had for them. They did not have the benefit of hot school lunches, for I cannot forget that during the twenties and the early thirties, in the midst of the great depression, their father as a school teacher did not have the cash to pay for hot lunches. Yet I do recall that their mother worked her fingers off to see that they had the equivalent of a hot lunch and that they grew in stature, strength, and stamina which later enabled them to take part in the strenuous cruelties of war. The sad thing is that not all mothers of that generation of soldiers had opportunity or ability to do as much for their sons, and hot school lunches were not furnished all the millions whose fighting strength was needed to preserve us from the cohorts of Hell. Call on them to die, yes, but do not help them to live and grow.

Some suggestions were made a moment ago urging more hot lunches prepared by the good women who aid our public-school teachers, and demanding less of military drill by the Army drillmasters in order to give us the type of young men physically able as well as mentally equipped to uphold the Nation in peace and preserve it in war. I verily believe this is a wise suggestion. As a proud supporter of our public-school system, knowing the men and women who function in it, and the greater host of men and women, parents who aid its functioning, I believe it is economy and wisdom to provide such a program as this hot-lunch program, both for the growing minds and bodies of our children. Call it socialistic if you will, and brand it communistic if you wish; the idea does not come out of Moscow, but was developed in the minds and spirits of some of the greatest of Americans of whom Thomas Jefferson and Horace Mann were but leaders. Again I wish to express my emphatic support of this legislation.

(Mr. MURDOCK asked and was given permission to revise and extend his remarks.)

Mr. FLANNAGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. PACE].

(Mr. PACE asked and was given permission to revise and extend his remarks.)

Mr. PACE. Mr. Chairman, title II of the bill has been the subject matter of some criticism. You will, of course, work your own will with regard to that title. I have no desire to undertake to influence you against your better judg-

ment, but I did think I might be able to contribute something to the discussion by giving you the philosophy of the committee in including title II in the bill.

You will notice that the bill authorizes a total appropriation for the school-lunch program of \$50,000,000. That is the maximum amount. Then the bill sets up a progressive increase in the contribution to be made by the States, first, 50-50, then 2 to 1, then 3 to 1, then 4 to 1. It is not contemplated by the committee that the \$50,000,000 would be reduced in the years to come by reason of increased State contributions, but rather that the program in the States will be expanded and that more schools will come in under the program. Consequently, where it will begin as a 50-50 proposition, which makes it a \$100,000,000 program, it is contemplated that within 4 years it will be a \$250,000,000 program with the Federal Government still contributing only the original \$50,000,000, but the States, by reason of expansion of the program, contributing \$200,000,000.

Title II has, one might say, three main purposes: First, to aid the States in the necessary expansion of the program. It is not best to have some schools in a community in the program and others outside. I am sure every Member will agree that they should all be treated alike if possible. So the first purpose of title II is to provide funds for the expansion of the program within the States. Secondly, it was the thinking of the committee, and it is my thinking too, if you are going to feed a child a balanced diet, and title I provides that the Secretary of Agriculture may set up minimum standards of diet—you have not done a complete job unless you provide some instruction to the child as to why he is being required to eat so much of this and so much of that. It was our thinking, therefore, that in addition to feeding the child a balanced diet that we should spend a few dollars in teaching the child why he eats carrots, why he eats spinach, or why he should not merely have bread and butter or bread and sirup, or something else. It seems to me it is a most worth-while part of the program.

Then, third, it provides training for the supervisors who operate the school-lunch program. If you will go into the school lunchrooms in your districts, you will often find a person in charge who is merely a nice, accommodating lady; she has no educational background in diet or nutrition; she is not a home economist; and it was our thought that while you might employ an untrained person, let us say, for \$75 a month, it would probably take \$150 a month to employ a trained dietitian to supervise the preparation of the school lunches and a balanced diet. If we are going into this—and you want to decide here today whether or not you are going to establish school lunches as a permanent program—certainly you should do a complete job; not only provide the money for the food but some to help expand the program, some to teach the child the value of a balanced diet, some to find and train supervisors to administer the

program in the school, and to aid the school where necessary in buying some of the necessary utensils.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. FLANNAGAN. Mr. Chairman, I yield the gentleman one additional minute.

Mr. PACE. Mr. Chairman, as some Members have expressed it to me, it would be rather inconsistent to buy the food to feed the child, but make no contribution whatever to securing the necessary tools and utensils for preparing and serving the food.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. PACE. I yield to the gentleman from Kentucky.

Mr. MAY. I take it, under this bill, if an appropriation is authorized, it will be allocated to the States under a certain formula?

Mr. PACE. It is set up in the bill.

Mr. MAY. What happens in the event an allocation is made to a State and the State does not match the funds?

Mr. PACE. Then the bill provides it shall be reallocated under the original formula to the other States.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. PACE. I yield to the gentleman from Utah.

Mr. GRANGER. We are not only speaking of children here, but we are speaking of those who will be the mothers and fathers of America in a few years.

Mr. PACE. Yes; and it is good for them when they leave the schools to have some understanding and appreciation of what a balanced diet means to the human body.

This is not a perfect bill. I hope we may be able to strike from the bill the provisions which include private schools, community centers, boys' clubs, and the like. Public funds should be limited to public institutions.

You have been appropriating for this program for the last 10 years without any authority of law. This bill is offered to provide you the opportunity to decide whether or not the program should be continued and made permanent. I hope you will perfect the bill and pass it.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. BUCK].

(Mr. BUCK asked and was given permission to revise and extend his remarks.)

Mr. BUCK. Mr. Chairman, no one disputes the desirability of good school lunches as a part of the educational program, but the providing of these lunches is a State function in which the Federal Government should have no part.

Mr. Chairman, H. R. 3370 is unsound from the standpoint of national policy and is founded, at least in part, upon a completely untimely premise. Furthermore, it is so badly drawn as to be replete with entirely unworkable provisions. The bill should be decisively defeated.

I have some experience with school lunches. For 8 years I was a member of the Board of Education of the City of New York, inclusive of 2 years as president, immediately preceding my election

to the House of Representatives. This is the largest school system in the world, with an enrollment of nearly a million pupils. During my service for the board, I acted for several years as chairman of a special committee on the school-lunch situation.

The President of the United States and all the other high officials of Government are filling the newspapers with their fears of inflation and with their advocacy of measures which they hope will control it. The basic cause of inflation is 15 years of unbridled deficit spending by the Federal Government. This bill will further unbalance the Federal Budget at a time when State treasuries are bulging with money. For that reason alone, the bill should be defeated.

This bill comes before the House immediately following a pronouncement by the President of the United States that large sections of the world are facing starvation and that it will be necessary for the United States to economize in its food consumption if rampant starvation is to be prevented. Yet this bill states in its declaration of policy that one of its principal purposes is "to encourage the domestic consumption of nutritious agricultural commodities and other food." Could anything be more contradictory? Truly, we are living in an Alice-in-Wonderland era of economic delirium.

The time at my disposal is short. I now proceed to some of the particular provisions embraced in this bill.

The formula for distribution on page 3 grants no recognition to the fact that the cost of living varies in different sections of the United States. The fact that a machinist in the State of Connecticut must have a higher rate of income than a farmhand in the State of Mississippi is one of the determining factors in the distribution of funds under this bill. Mississippi participates on a preferential basis. Reference to the list of States on pages 9 and 10 of the report will indicate the interesting anomaly that the greatest food-producing States in the Nation, inclusive of Iowa, Minnesota, Nebraska, and Wisconsin, will receive preference in the distribution of this Federal money for school lunches. Does that make sense?

Under the terms of this bill, the most expensive private schools in the country are eligible for Federal aid in their lunch programs. Imagine appropriating Federal money to provide lunches for pupils at Miss Madeira's School in the environs of Washington or at the Baldwin School near Philadelphia, or at the Taft School or St. Paul's in New England. This is exemplification of the carelessness with which this bill is drawn.

Section 103 reenacts the provisions of previous laws whereby the Federal authorities can and have bought and shipped to the States food which the schools neither wanted nor needed, nor could even use.

Accounting procedures under the bill are equally dizzy. The States in computing their contribution may place values upon donated services, supplies, facilities, and equipment. The report, page 5, even states that "proceeds from the sale of lunches may be regarded as funds

from sources within the States." It would be a dull State indeed which could not, under such provisions, match the Federal contribution without any additional expenditures on its own part.

Section 106 provides that lunches shall be served without cost, or at reduced cost, to children who are determined by local-school authorities to be unable to pay the full cost of the lunch. Theoretically this is desirable and proper, but no school system in the country possesses the investigatory facilities for making this determination. The bill thus places a monetary benefit on falsification. It begins teaching children at the tender age of five that they may eat at the bounty of the Federal Government.

Mr. Chairman, this is a bad bill. It deserves nothing but overwhelming defeat.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield to the gentleman from Nebraska.

Mr. CURTIS. The gentleman has made an excellent statement. May I ask the gentleman this question? Is there any argument advanced for this bill which could not equally be advanced for the Federal Government going into the mathematical departments and every other department of our schools?

Mr. BUCK. I agree with the gentleman.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield to the gentleman from California.

Mr. VOORHIS of California. I just wonder if the gentleman will permit me to comment on two or three points he made? In the first place he made the point that there was a food shortage throughout the world which is, of course, true, but that does not alter the fact that there are local surpluses of practically all kinds of food throughout the United States, and probably always will be.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HOPE. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. GILLIE].

(Mr. GILLIE asked and was given permission to revise and extend his remarks.)

[Mr. GILLIE addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, this is one of the most dangerous bills that has ever been brought to the floor of the House. It is designed to wreck the public-school system of America, first in title I, by providing funds that can be allocated at the discretion of the Secretary of Agriculture to different States and, second, by providing funds that can be allocated by the Commissioner of Education to the different States for the \$15,000,000 covered in title II. Those things permit the placing of pressure upon the local school authorities by the Federal Government. That is one of the things

those who are interested in seeing the youngsters of our land get a decent education have always stood against. I hope they will stand against it this time.

There is a most outrageous and outlandish set-up here in the light of the division of funds. There is an indication almost that that division was set up with the idea of procuring folks to line up for it. I cannot understand some things. For instance, the State of New York in the previous allotments that have been made, with a tremendous number of poor children, received an allotment totaling not exceeding \$6 per head. The State of Ohio, with not very far from a similar population, received an allotment in 1945 totaling about \$10 a head. The State of Texas received an allotment totaling about \$14 a head.

I am willing that they should have school lunches, but you can have better school lunches, better administered, and with less waste and less foolishness, if you let it be done right at home by the school authorities. Let them run the thing. You will have better lunches, you will have better care and more interest than you will if you have an overlord in Washington who will be interested primarily in putting bureaucrats on the pay roll. That is just the experience this country has been through for a long time now. There has been tremendous waste in this thing. I have seen it in places. There has been a crowding of the proposal onto schools. There has been an attempt to send things to them that they did not need. There has been almost a complete collapse of any businesslike management of the thing.

I hope the Congress will not authorize this kind of operation and that the House of Representatives will not put itself on record in favor of a scheme that is bound to wreck and destroy the public-school system of America, which has been our pride and joy for 150 years.

Mr. FLANNAGAN. Mr. Chairman, I yield such time as he may desire to the gentleman from Arizona [Mr. HARLESS].

Mr. HARLESS of Arizona. Mr. Chairman, I want to add my wholehearted endorsement to the school-lunch program. The usefulness of this program has been clearly demonstrated, not only during the war years but even previous to the war. It has become so much a part of our schools that to discontinue it now would be a shock and a disruption of the orderly processes of our education.

It is not necessary to present an argument to you today that an adequate diet is essential for our children. However, I think it is necessary to mention that in some portions of this country an adequate diet would not be supplied unless Federal participation in a school-lunch program were continued by this Congress. It is no secret since our Selective Service System was established in 1940 that certain districts in this country contributed in a large measure undernourished draftees who could not be used in our war program. It is essential for the national defense of our country that all of the youth of this Nation be properly fed. It is not only necessary for the national defense, but it is necessary for peacetime operations, that the children of this Nation be given good, wholesome food, that

they be given a diet that will mature their bodies and make it possible for them to acquire a complete education.

We have heard arguments here today that the Federal Government, by extending itself during peacetime into participation in a program of this kind, is usurping the functions of the local communities. We have heard arguments to the effect that it is the duty and the responsibility of the parents to supply lunches for their children. All of these arguments fail when we take into consideration the facts and the underlying principles behind a lunch program as outlined in this proposed legislation.

From the beginning of this national program, surplus commodities have been used to good advantage. We have gone beyond the surplus commodities stage, however, and are now more interested in establishing an adequate permanent lunch program in order to see that the children of this Nation have health in body and in mind. As a matter of fact, I would go even further with Federal participation in our school systems. I think the time will come when we will not only consider the physical health and strength of our children as a Federal project, but we will also consider the scholastic training as an essential part of the Federal responsibility to the people of this Nation.

But, as I have previously mentioned when it has been so forcibly brought to our attention by the Selective Service System of this country that in certain districts a large percentage of the youth of the Nation had been inadequately fed and improperly educated, it appears that it might be time for the Federal Government to step in and provide not only a balanced diet but adequate funds for academic training. It is important to remember that if one segment of the population of this Nation is weak either physically or mentally, it affects the whole of this Nation. We are not only weakened in our national-defense program, but we are weakened in our national civilian economy, because with the fluid nature of our population under modern methods of transportation, it is common for the people of this country to travel from one part of the Nation to another and intermingle. Therefore, we are constantly rubbing shoulders with the illiterate and the physically weak because of inadequate school systems in certain sections of this Nation.

This particular legislation will make our school-lunch program an integral part of our school system. It will distribute funds on the basis of the ratio of children to adults and in proportion to the average family income of the various States. It will provide a means for the handling of surplus agricultural products by the Department of Agriculture. It retains administrative responsibility through the State and local communities. It serves the schools in proportion to their needs. It provides for Federal supervision in order to have a unified program.

I might summarize this program by saying that it provides for an adequate nutritional plan for our school systems throughout the Nation. A well-balanced

school lunch will do more to strengthen our children physically and make it possible for them to obtain a good education than any other addition to our school system. The school lunch is a systematic means of providing one-third to one-half of the children's daily nutritive needs 20 to 22 days a month. I would quote Dr. Bess Goodykoontz, Assistant Commissioner of Education, as follows:

If children are to learn proper habits of nutrition which will insure well-nourished bodies as they grow into adulthood, teaching must go along with feeding. In order to remedy the situation (widespread nutritional deficiencies) there must be a close tie-up between the feeding and teaching programs, whereby the school lunch becomes an educational experience and the basis for instilling good eating habits which will become a part of the child's daily life.

The best investment a community can make is to see that its children are adequately fed while they are attending schools and that they acquire habits of good eating which will stay with them throughout their lives.

(Mr. HARLESS of Arizona asked and was given permission to revise and extend his remarks.)

Mr. FLANNAGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Chairman, this bill deals with the most important crop in America. The most important crop is not the cotton of the South or the wheat of the Northwest or the livestock of the western plains, or any of the varied products of New England, but the children of the Nation.

At times in the past we have been tempted to believe that they have received less attention and a lesser provision for Government research and nurture than some of the other crops of the Nation of less vital importance.

There are two considerations. One is the provision by the bill of a market for surplus farm products, and the other is the effect of this investment in the health, happiness, and development of the child himself. The first consideration has been greatly misunderstood and perhaps too strongly emphasized. This is not a farm-relief measure. It is not a farm price stabilization measure. It does not affect one iota the price of farm products. The testimony before our committee from the Department of Agriculture was that whether you had the lunch program or did not have the lunch program, the price of hogs, the price of livestock, and the price of grain was the same, with or without it.

The vital consideration, then, is the effect upon the childhood of America. We were astonished at the high percentage of young men who were rejected for wartime service because of physical disability.

My congressional district had the dubious distinction of including the county in which a larger percentage of young men were rejected for Army service than in any other county in the United States. Naturally, it was the subject of widespread speculation and investigation. It was finally determined that the prevalence of physical disability and incompetence for military service was due not

to environment, not to heredity, not to climate, but to faulty nutrition. That was the final decision.

Another astounding feature is the discrepancy between the proportion of men disqualified for Army service in the country and in the city. You know, there is a general and frequently discussed belief that one advantage of living on the farm—one of the few advantages despite the economic discrimination—where wages for labor on the farm are the lowest, for the longest hours, and the hardest labor in America, and farm income is the lowest in proportion to the investment of any industry in the Nation, is that food is better and more plentiful. Frequently you hear people say, "But on the farm you at least have plenty to eat." That is not true. The children on the farm have less to eat than the children in the cities. On the farm, all the good eggs must go to market because they must provide money to pay the interest on the mortgage and taxes. If interest and taxes are not forthcoming the sheriff sells them out. Only the cracked and misshapen eggs go to the children on many of our farms.

The children too frequently get only skimmed milk because the cream must go to market to pay the overhead. Only the culled vegetables and fruits go to many children on the farm. I am speaking not from hearsay, but I am speaking from observation. Nothing that is salable goes to the table on a great many of the farms in the country. Everything that is salable must go to market so that they can take care of the fixed expenses which must be met in order for the farmer to stay on the farm at all. And during the depression, with women and children working in the fields as well as in the kitchen, even this rigid schedule of economy and limited diet was insufficient to save the old home place.

Mr. Chairman, I was very impressed with the letter which the Chairman read from Paul Stark, of the Food Distribution Administration. In my opinion, he knows as much about food distribution and nutrition as any man in the country.

Under his supervision last year we produced in the victory gardens of the country 40 percent of all the vegetables consumed in America. It seems an impossible accomplishment to increase the production of food to that extent—even in time of war—but that was the actual record of production of the victory garden campaign under his administration.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the distinguished chairman of the Committee on Agriculture.

Mr. FLANNAGAN. I am happy to say to the gentleman that Mr. Stark will be enjoying the same occupation again this year. He is in the Department of Agriculture and he has an outstanding record back of him.

Mr. CANNON of Missouri. I did not know that. Evidently he has been drafted again. But if he accepts the work you have the assurance of an effective and efficient management of the program.

Mr. Chairman, the children of America are woefully undernourished. Even

in homes of wealth and high economic standards children frequently, through allergy or caprice, fail to eat properly and the charts of the school-lunch programs show an immediate gain is registered when hot meals are made available at school. A hungry child cannot study properly. A poorly nourished child cannot learn readily. In providing food we are not only nourishing the body and producing a sturdier generation of children but we are securing a higher grade of scholarship in the schools of the Nation.

In behalf of the children of America, who must in a few short years take our places on this floor, and in every other position of responsibility in government and mart and field and factory, we urge the passage of this bill.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GWYNNE].

Mr. GWYNNE of Iowa. Mr. Chairman, it seems to me the children of this country would be better served if this Congress would return to sound, economical government, rather than to pass a bill like this. I am opposed to this bill for the same reasons I am opposed to many other bills along this line. I am opposed to it for two reasons. First, because of the situation of the National Treasury; and second, because it means the building up of another bureau. I think it is proper, in fact I think it is our duty in this House particularly, to consider the financial condition of the Public Treasury. The national debt is something like \$275,000,000,000. The combined debts of the 48 States is about \$2,400,000,000. There never was a time when municipalities, school districts, cities, and towns were in better shape financially. We have just gone through a period of unprecedented high individual income; yet, in the face of all those facts, we now propose that the Federal Government shall take on an obligation that it formerly did not have.

I appreciate the fact that this calls for a rather small sum of money compared with the amounts we do appropriate, but my objection to it is that it will be an excuse for additional appropriations, for other purposes. I can hear groups coming to the Congress and saying, "Well, you should vote for an appropriation for my group because your group got some money." It makes me think of an old neighbor I once had, a very wealthy old gentleman, who had a large and expensive family. First, he would buy an expensive roadster for his eldest son. That required a brand new fur coat for the eldest daughter, and so on down the line. By the time he got down the line it was about time for another roadster for the eldest son. That was a fine and beautiful system until one day the old gentleman woke up and found he was bankrupt, and all that family had to go to work. And they discovered they had never learned industry and self-reliance.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. No. I have only 5 minutes.

This legislation will create another bureau. I have seen Members come down to the well of this House and shed oceans of tears about bureaucracy. I shall watch their votes today on this bill with some little interest.

This creates a bureaucracy built up like many are built up, through the grant-in-aid process under which the Federal Government goes out to the citizens in the various States and collects their money as Federal taxes. Then the Federal Government says to the States: "We have this money. If you will put up an additional amount, you may get your own money back, if, of course, you let us run this program."

Now, what does it mean to the State of Iowa? If I understand these figures correctly, here is what the State of Iowa would get out of it: The proposed apportionment is \$602,800. The amount of matching required is \$574,500. In other words, to get \$600,000 we put up \$574,000 and take with it this government bureaucracy.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. In just a minute.

The motto of my State is: "Our liberties we prize, our rights we will maintain." I do not propose to turn over the right now held by my State to another Federal bureaucracy. I do not intend to sell our liberties for this \$26,000 bait.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. Just a minute. The gentleman has had plenty of time.

I believe in school lunches. I believe in children having proper food and proper education, but whose responsibility is it?

The responsibility is first upon the parents. If they cannot meet it, the duty then devolves upon the local community, then upon the State and lastly upon the Federal Government.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(Mr. GWYNNE of Iowa asked and was given permission to revise and extend his remarks.)

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. DONDERO].

(Mr. DONDERO asked and was given permission to revise and extend his remarks.)

Mr. DONDERO. Mr. Chairman, the issue this afternoon is not whether one Member is for and another is against school lunches. I know of no one on this floor, regardless of the side of the aisle on which he serves, who is not in favor of school lunches. But the difference of opinion comes in determining by whom school lunches shall be furnished.

There are those who think it should be done by the Federal Government, while there are others who think it should be a function of the States, and I am on that side of this question.

School lunches is not a new subject for the House of Representatives, neither is it a new subject for the people of Amer-

ica. We have had school lunches in the State of Michigan for 30 years—long before it was ever heard or echoed in these Halls. On two or three occasions when this program was inaugurated on an annual basis I voted for it on the assumption—and the promise was at least implied—that it would terminate when the emergency in this country was over. It began with the excuse of disposing of surplus agricultural commodities.

I am utterly amazed to see in this report the statement that this \$50,000,000 will provide a very substantial market for agricultural products in this country. When we consider that the agricultural income of the people of this Nation is something like \$19,000,000,000, and this bill provides for \$50,000,000, one finds it hard to justify that statement. It is untenable.

Those who believe in the Jeffersonian philosophy of keeping government close to the people, and I am one of them, must remember that if this program is adopted, to have school lunches financed and administered from Washington we are destroying local self-government. This bill is a new program in two particulars—we are making it permanent legislation and for the first time in the history of the Nation we are empowering the Office of Education here in Washington to control, supervise, and direct diets and equipment to be placed in the public schools of the United States—

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. Defer for a moment. I will yield if I have time.

One of the peculiar things I have noticed in this bill is that in title I there is no mention made of public schools as such—all children of all schools of all religious faiths, even summer camps, are included to receive benefits under title I. But in title II I notice that the committee included the words "public schools only."

Why did the committee leave out the parochial schools in title II but include them in title I? I want somebody in their own time to rise and explain to the House and to the country why you made that difference between the two titles of this bill.

The \$15,000,000 to be expended under title II is left entirely to the discretion of the Commissioner of Education under the formula described. While the \$50,000,000 is to be apportioned among the States of the Union by the Federal Security Administrator. In either case the States must comply with the conditions set forth in this bill or be denied funds for this program. Before we take this step another step in the direction of centralizing all government in Washington, let us pause for a moment and ask ourselves this question: Is there any one thing in this bill that we are asking the Federal Government to do that cannot be done by the States? That is the question.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Nebraska.

Mr. CURTIS. It is well known that no food alone will build a strong body unless it is properly chewed. May we

not also include a program here of State medicine and have the Federal Government fix everybody's teeth?

Mr. DONDERO. Oh, yes. That question has already been proposed.

Another point has been raised here this afternoon, and I want to reiterate it. Every State in this Union except two has a surplus in its treasury. The Federal Treasury and the condition of the Federal finances being as they are, you still seem unwilling to leave this subject to the 48 States. You want to centralize it here in the Nation's Capital and add to the already staggering national debt. I supposed that we just finished fighting a global war to destroy the evils of centralized government, yet day after day we are moving in that direction. That is the trend. The Government is all-wise. Government is to become the master and the citizen is to become the subject and lose his freedom.

I think that is the issue when we come to vote on this bill. It is a bad bill, one moving in the wrong direction.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FLANNAGAN. Mr. Chairman, I yield such time as she may desire to the gentlewoman from Illinois [Mrs. DOUGLAS].

Mrs. DOUGLAS of Illinois. Mr. Chairman, the chief resource of our Nation is its youth. Selective service showed that a shocking proportion of our boys grew up physically unfit because of malnutrition. Our present experiment in the school-lunch program has focused attention upon the direct ratio between such a program and the improved work, attendance and health of the children it serves. This in itself should be the conclusive argument for a measure dealing with such a precious commodity as our boys and girls. But the administrative set-up answers the objections of most of its opponents. The measure, while stimulating this essential program, provides for progressive financial responsibility by the States and administrative responsibility under the State agency.

Among the good features of the bill is the nutrition-education program which can have a profound benefit upon each community. Another excellent feature is that it will provide the readiest and most socially useful outlet for future agricultural surpluses. This will help to stabilize farm markets. It is fitting, therefore, that the Farm Bureau has joined with the civic organizations which are supporting this legislation.

In Illinois, some 1,742 schools now operate such programs and serve 557,300 youngsters. The number of schools for the whole Nation is 47,635 and they are serving 8,223,900. Hundreds of letters and petitions have poured in upon me urging the passage of the Flannagan bill. This is a pressure group, if you like, but one which asks no special favors—only the good of the Nation. It is a penny-wise pound-foolish policy which begins to economize with its children's welfare.

(Mrs. DOUGLAS of Illinois asked and was given permission to revise and extend her remarks.)

Mr. FLANNAGAN. Mr. Chairman, I yield such time as he may desire to the

gentleman from California [Mr. OUTLAND].

Mr. OUTLAND. Mr. Chairman, I am wholeheartedly in favor of H. R. 3370, the bill which would provide assistance to the States in the establishment, maintenance, operation and expansion of school-lunch programs. In my opinion a measure of this kind is long overdue and it is difficult to understand why Congress has not enacted legislation of this nature many years earlier. The arguments which we have listened to this afternoon against the bill seem to me to be superficial and while I do not question the sincerity of those who put them forth, I do believe that a democratic sense of the values would make us all realize that the importance of decent and healthful lunches for school children are worth far more than the money which will be expended in the achieving of this program. Furthermore, those who cry "Bureaucracy!" have generally raised this same cry against every measure during the past 14 years, which was designed to bring a more decent standard of living to the American people. Furthermore, as has been pointed out, this argument has no validity in this case and it is simply a smoke screen which has the effect of drawing our attention away from the merits of the measure under discussion.

I say that legislation of this type has been long overdue. On May 9, 1944, during the Seventy-eighth Congress, I introduced H. R. 4777, a bill to assist the States to establish and maintain school-lunch programs. This bill had substantially the same objectives as the one we are debating today, and had it been passed at that time, I believe we would have been carrying out the wishes of those who are backing the present measure. In May of 1944, I wrote a brief statement for the newspapers of the Eleventh Congressional District of California pointing out the advantages at that time of a school-lunch-program bill. I include that statement as part of my remarks here, and while it is true the war is over, I believe the necessity for this type of a program is as great today as it was 2 years ago. I hope very much that we will pass this measure this afternoon by an overwhelming margin.

In March the House of Representatives struck out of the agricultural appropriation bill all funds for Federal assistance to the school-lunch program. The reaction to this from parent-teacher associations, school boards, community organizations, and other groups interested in this program was immediate and positive. From all over the country have come urgent requests that your representative do his part in seeing that this appropriation is either reinserted in the agricultural appropriations bill or provided for by separate legislation.

The secretary of one PTA summarizes the situation well in a sentence when she writes me that "the future of our country depends upon the mental and physical strength of our children, who will soon take our places." The need for the program is unquestioned; throughout America there are thousands upon thousands of children who are undernourished and to whom the school lunch has been a real

boon. The coming of the war has intensified rather than lessened the problem; while it is true that wages in many groups have increased, it is also true that with more mothers working in war factories and transportation problems increased, an increasing number of children are being sent to school with inadequate provision not only for lunch, but in many cases for breakfast as well. Experience has demonstrated that Federal assistance is absolutely essential to the maintenance of an adequate lunch program; without such aid only a small minority of the schools of the country can provide noon meals for all the children who need them.

After conferring with representatives of national organizations, such as the Parent-Teacher Association, with representatives of educational groups, and with representatives of Federal agencies, including the Federal Security Agency, I introduced into the House on May 9 a comprehensive bill, designed to provide Federal funds for a school-lunch program in accordance with a plan which is in harmony with the best educational and administrative practices. While there is not space here to summarize adequately the provisions of this bill, H. R. 4777, the major points may be listed as follows:

First. Fifty million dollars would be made available annually for the program.

Second. The program would be administered not by a Washington agency, but by the various State departments of education, according to State plans made in conformity with the provisions of the bill and approved by the United States Commissioner of Education.

Third. The lunch program would be an integral part of the school plan as a whole, emphasizing nutritional education, homemaking education, and so forth.

Fourth. Federal funds, after the first year, would be matched by the State. However, to insure maximum use of funds for food, the Federal contribution to State administrative costs in each State would be limited to 3 percent.

Fifth. Provision is made that priority shall be given to purchase of foods designated by the United States Department of Agriculture as in surplus.

Thus the bill provides that the school-lunch program would be definitely educational in character, that it would be administered through approved State and local educational agencies, and that, while using up first those surplus agricultural commodities available, it would by no means be limited to these commodities.

I believe that this bill would be a definite step forward in the school-lunch program of the Nation; whether or not it will receive serious consideration by this session of Congress is as yet an open question. There is still a possibility that the Senate and House conferees will restore to the agricultural appropriations bill all or part of the original funds for school lunches, in which case H. R. 4777 will probably not make much progress immediately. However, with the active backing that it is receiving from many national organizations, I am hopeful that

eventually such a bill will be enacted into permanent law.

(Mr. OUTLAND asked and was given permission to revise and extend his remarks.)

Mr. FLANNAGAN. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I rise in support of the school-lunch program as embodied in the pending bill (H. R. 3370).

This bill provides for a permanent school-lunch program for the benefit of the children of America, for those children from families whose income is too small to give them proper nutrition.

The well-being and health of these children justifies the expenditures provided in the bill. The greatest asset of any nation is in the quality of its youth, the future citizens upon whom the responsibilities we older citizens now carry, shall fall.

The need for permanent legislative basis for this program has been demonstrated by the emergency, year-to-year legislation, under which it has operated and by the results obtained.

It is also sound legislation from the standpoint of obtaining a wider distribution of our farm food surpluses. Let us never again return to the policy of destroying food because of the lack of proper distribution as long as hunger exists in our own Nation or for that matter throughout the world.

(Mr. HOLIFIELD asked and was given permission to revise and extend his remarks.)

Mr. FLANNAGAN. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. BIEMILLER].

[Mr. BIEMILLER addressed the Committee. His remarks will appear hereafter in the Appendix.]

(Mr. BIEMILLER asked and was given permission to revise and extend his remarks.)

Mr. FLANNAGAN. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. DOYLE].

Mr. DOYLE. Mr. Chairman, surely Members who are opposing this bill, and yet who frankly admit that school lunches are fundamentally necessary and sound in the life of the children of our Nation, do not claim that the expenditure of the small sum of \$175,000 in administering the bill will set up a Federal bureaucracy. The committee report shows just the contrary. For the bill would be totally administered in the already and long-established Federal Department of Education. I notice that some of the Members who have spoken this day against this bill on the grounds that they feared the creation of or strengthening of a Federal department as contradistinguished to a State administration of these school lunches, did not hesitate to vote for the Case bill the other day, which bill actually set up a great Federal expense and a new Federal department.

It is time that the humanitarian obligations and responsibilities of Government be given proper accord and place-

ment by this Congress. That is one of the reasons I am for this bill. We have heretofore canceled excise-profits taxes, which was clearly in the interests of men accumulating more material wealth. Then, we rescinded the land-grant bill, and that too was for the primary purpose of making it possible for the accumulation of more material profits and gain.

Now, it is late to begin doing so; but, nevertheless, we must begin to give ascendancy to the security of the mind, spirit, and body of the children and adults of America. This bill only applies to the children of America between the ages of 5 and 17 years inclusive. These are the children who might be generally termed as the underprivileged or those who have less advantage for economic security and otherwise. Nor is this any intended insult or reflection upon these fine youngsters or upon their parents. I do not understand why some gentlemen oppose this bill and read on the floor of this House their prepared speeches, saying that this bill would provide hot lunches for children in "exclusive schools" in the Nation. Clearly, by so doing, these Members refer to profit-making schools instead of non-profit-making schools or child-aid or child-care centers. I call their attention to page 3, line 19 of the bill wherein the language states:

For the purposes of this title, "school" means any public nonprofit private school of high-school grade or under.

Furthermore, there is nothing compulsory about any State having to join in this cooperative program with the Federal Government. Nor can the Federal Government distribute a single ounce of grain or food in any locality or any State in the Nation until or unless that State and that locality and that local school or governmental unit of a nonprofit group in that locality, has first set up its own functioning for hot lunches. Then, and only then, will the food to be provided by the Federal Government become available. Only on the initiative of the local unit and the States themselves will the Federal Government do anything therein. Furthermore, the committee report shows on page 5 a gradual lessening of Federal aid in this worthwhile program. For it shows that the payments of Federal aid and assistance to the States are further conditioned by the State matching the grant during each year from sources within the State according to the following ratio:

Fiscal year 1946 and 1947, \$1 for \$1.
Fiscal year 1948, \$1 for \$2.
Fiscal year 1949 and 1950, \$1 for \$3.
Thereafter, \$1 for \$4.

How, then, can Members claim this institutes the beginning of an additional and a permanent Federal bureaucracy. The fact is that the bill, by its text, clearly shows that the Federal Government deliberately and systematically will withdraw funds as rapidly as specifically provided over a term of years.

Having heard some Members of this House speak against this bill this day, I believe I have heard some of these same Members speak for, and have seen some of them vote for, millions and millions of dollars for the purpose of

protecting live stock, or finding out the best feeds for their cattle or their pork in their various States. Why, then, can they oppose placing the physical welfare of our Nation's children ahead of their own cattle or their own farms and cattle ranges? Nor is it any answer to the worthy objectives of this bill for Members to argue that it is a State function. I agree that it is a State function, and this bill does not take away from the States any of their functioning. It merely strengthens their financial resources for their own States, functioning in their own State jurisdiction. There is no intentment, nor attitude, either directly or indirectly expressed, to have the Federal Government take over anything from any State or any local unit of government or from any "non-profit" school or group.

I have not had one single objection to this proposal from the Eighteenth Congressional District of California; but, I have had a large number of individual letters and group communications from parents and school patrons and such in favor of it. Long before I was in Congress I saw the beneficent results of this program in my own native State of California. Let us not continue to hazard the physical well-being of our Nation, in time of a national emergency, by reason of continuing to place the breed and health of our cattle ahead of the health and physical security and stability of our children. Let's place humanitarian interests on a par at least with where we have already placed the accumulation of material wealth. Gentlemen, the real wealth of our Nation is not our cattle—it is our children.

(Mr. DOYLE asked and was given permission to revise and extend his remarks.)

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. MASON].

(Mr. MASON asked and was given permission to revise and extend his remarks.)

Mr. MASON. Mr. Chairman, we have heard the pros and cons of this proposed school-luncheon bill. I think the gentleman from Michigan [Mr. DONDERO] has probably given us one of the coolest, sanest, and most logical arguments that has been presented on this proposition. It is not a question of penny-wise and pound-foolish. It is not a question of whether we should have school lunches or not. It is simply a question as to who shall provide the school lunches, as the gentleman from Michigan stated very clearly.

I am opposed to this bill. I am opposed to the provisions of the bill, and I am saying that from the standpoint of 30 years as a school man, 15 years of which I had charge of a school system, and we carried on school lunches. I know what school lunches mean to the children from foreign homes, as we call them here, in an industrial community with 17 different nationalities. If anyone knows anything about the benefit of school lunches I ought to, at least. I am opposed to this program. I consider this a hybrid bill. What do I mean by a hybrid bill? Well, it mixes agricultural problems with educational problems. It

has policies in it that bear upon agriculture and naturally belong in the Agricultural Committee of this House. But it has educational policies, particularly title II, which do not belong in the Agricultural Committee of the House but belong entirely in the Educational Committee of the House, and the Educational Committee of the House has never even been given consideration on title II.

The genial majority leader, in arguing this bill under the rule, stated that it was a question of dollars on one side and human values on the other. That is not the question at issue at all in this bill. The question at issue is who should put up the dollars to take care of the human values. Also, the genial majority leader gave quite an illustration of a fine community in the center of Chicago. He eulogized that community and said, "Why, it was an excellent community." The only reason it was an excellent community was because the people in that community joined together to solve their own problems, including the school lunches, and that really is the issue, and that illustration of the majority leader is an illustration that goes absolutely contrary to the provisions of this bill which says that Uncle Sam shall feed the children of this Nation. We have heard a lot about the financial conditions of the cities and the school districts and the States. Why, my State has over \$130,000,000 surplus in its treasury, and yet I have school people in my State who are begging a subsidy from Uncle Sam so that they can handle school lunches, and subsidies for other programs, and those same people in Illinois do not realize the fact that for every dollar Uncle Sam has handed to them in the past 25 years in the shape of Federal aid and subsidies, Illinois has had to contribute to Uncle Sam's Treasury \$5 for every \$1 it has received back, and Pennsylvania has handed into Uncle Sam's Treasury \$8 for every \$1 it has received back, and New York has handed into Uncle Sam's Treasury from \$10 to \$12 for every \$1 it has received back.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HOPE. Mr. Chairman, I yield myself the remaining time on this side.

Mr. Chairman, I am glad to note that in the course of this debate it has been unanimously agreed that the school lunch is a good thing. Up until this moment I have not heard one word of criticism of the school-lunch program. That narrows the issue down, as the gentleman from Michigan very well said a while ago, to the question of whether we should have a cooperative Federal-State school-lunch program or whether it should be a program conducted entirely by the States and the local communities.

Those who have expressed their opposition to this bill and to the program have placed it almost altogether upon the fact that they say we are creating a big new bureaucracy and are putting the Federal Government into a field where it does not belong and where it should not go. That, I deny. If there had been any effort on the part of those who framed this bill to create a bureaucracy we surely could have done a better job

of it than we have done. You cannot set up very much of a bureaucracy in the Bureau of Education on an appropriation of \$175,000, yet that is all this bill provides for the Office of Education for its part in this program.

The bill specifically requires the use of existing State agencies. It is different from the present school-lunch program because that is almost altogether a Federal program clear down to the local level, but here we use the State and the local educational set-up. We do not create any new organization. We use the existing State educational organization. We proceed in exactly the same way—except I think we use the Federal Government to an even less extent—that we do in administering the extension program of the Department of Agriculture or the vocational educational program of the Office of Education. Many of the gentlemen who say that we should not have the Federal Government enter this picture have supported for years these other programs I just mentioned and have supported them enthusiastically.

I can appreciate the feeling on the part of some of the members of the Committee on Education because they have not had any opportunity to consider this bill. I wish it might have been possible for the Committee on Education to have given it some consideration. However, we have that situation because of our committee set-up on many occasions.

For instance, it might be felt that the Committee on Agriculture ought to have something to say about the rural electrification program because that program deals with farm people; nevertheless, under the rules of the House that legislation goes to another committee. It might be thought that in view of the fact that loans made by the Commodity Credit Corporation have much to do with agricultural price policies, the Committee on Agriculture rather than the Committee on Banking and Currency ought to handle the legislation, but under the rules of the House it goes to the Committee on Banking and Currency.

There is bound to be some overlapping in a program of this kind. There was no desire, I can assure everyone, on the part of the Committee on Agriculture to usurp the duties or privileges of any other committee. But we have a bill here which covers an integrated program, and it seemed best, since we are operating through the educational facilities of the States, to give the Federal Bureau of Education some part in that program, particularly that part which relates to education. So we have set aside the sum of \$175,000 to enable that department to administer and distribute those funds which deal with the educational part of the program. I could say more on that phase of the matter, but it seems to me very clear that we are not in this bill setting up a new bureaucracy or departing from the policies of the Federal Government that have been followed in numerous instances in almost identical situations.

Why is it important that we make this a Federal program? I have before me letters from all the leading farm organizations of this country. They are

for this bill. This is the first time that I know of for several years when all of the important farm organizations of this country have gotten behind any specific bill. But they are all behind this bill. Why are they backing it up? Why is it to the interests of the farmers of this country and their spokesmen, the farm organizations, to have legislation of this kind? The answer is very obvious. It will help agriculture because it is going to promote better nutrition, a better understanding of food values, and a greater consumption of farm products in this country. That is one reason why title II is an important part of the bill. It is important because school lunches in themselves are not going to contribute a great deal to the consumption of agricultural products and food. The gentleman from Michigan was entirely right awhile ago when he said that \$50,000,000 a year is not going to mean a large sum for the expenditure of farm products in this country.

But one of the big virtues of this bill as seen by the farm organizations and by the farmers and by the Committee on Agriculture is the educational feature which is contained in title II and which provides for the furnishing of instruction in the principles of nutrition. That is going to bring about an increased consumption of farm products. That is what the farm organizations of this country are looking forward to when they say it is a good thing for agriculture. The example that is set in the way of furnishing good food and good nutrition instruction at these school-lunch centers is not going to be forgotten when these children go home or after they are grown up and have families and homes of their own. They are going to keep those things in mind. It has been very definitely proven that children go home and tell their parents about the kind of food they have in the school lunches. It has brought about a marked improvement in those homes as far as the quantity and quality of food consumed is concerned. This is a long-range and long-time program. The farm organizations of this country are interested in it and I am interested in it, because it is the soundest way to bring about an increased consumption of farm products. It is a constructive approach to a program of plenty rather than restriction in agricultural production.

(Mr. FLANNAGAN asked and was given permission to revise and extend the remarks he made earlier in the afternoon.)

Mr. FLANNAGAN. Mr. Chairman, I yield the balance of the time to the gentleman from California [Mr. Voorhis].

Mr. VOORHIS of California. Mr. Chairman, I want to begin by answering some of the statements that have been made this afternoon, which are not accurate statements about this legislation, either as to its purpose or its content.

In the first place, I would like to answer the question asked by the gentleman from Michigan as to which I requested him to yield to me for an answer, and which I will answer now. The

gentleman asked whether there was anything in this bill which could not be done without the bill. There are at least two things, and they are of fundamental importance.

In the first place, under the school-lunch program, such as this bill contemplates, it will be possible to encourage the inauguration of school-lunch programs by the local people in the places where they are most needed, and in the places where in the past they have been least in evidence.

In the second place, unless Congress passes legislation of this sort, it is not possible to tie in the altogether worthwhile purposes of a school-lunch program with the proper purposes of the agricultural program of the Nation. Unless you propose to abandon the broad features in the agricultural program entirely, or to turn them back to the cities and counties, it seems to me completely illogical, if you believe in the school-lunch program, to oppose this bill.

It was stated by the gentleman from New York that the funds under the bill were to be allocated at the discretion of the Secretary of Agriculture and the Commissioner of Education. That simply is not the case. The bill lays down a carefully devised formula that is very specific as to precisely how these funds are to be distributed, and distributed in every case to the responsible State agency, for that State agency to redistribute and to control completely within its State.

It was said that swanky boarding schools would be eligible for these funds, which is absolutely wrong, because the bill specifically provides that the only child-care centers that shall be eligible are nonprofit child-care centers, and only 2 percent of the funds in the bill are available even for them.

Then, it was declared by a number of Members that their States had given up so much of their money and had gotten back only so much of their money from the Federal Government. I happen to come from a State where we pay considerably more taxes than we receive back in benefits from the Federal Government, but I want to say for California that we still feel very earnestly that the United States is somewhat bigger than the State of California; that it is more important than the State of California; that it is not just our money but it is a part of the return from the greatest economic and industrial system in the world, namely, the whole United States; and if the movie industry or the citrus industry or some other industry in California sells its products throughout the Nation and makes income, we are quite willing to pay taxes to the United States Government, provided that money is well used. We would be glad, indeed, if, as the formula in this bill provides, the food could be gotten into lunches for those school children of this Nation who need it most, no matter where they may be found. It is not just a case that because people live in a farming community therefore they have more food to eat than people living in wealthy cities. Unfortunately, that is not by any means always the case. Unfortunately, some of the places where there is greatest need

for a richer, better diet and greater nourishment for the children, are in some of the rural areas of the Nation. Ten percent of the population of this country, mostly rural people, brings into the world 30 percent of all the American children born each year. One of the purposes of this bill is to try to equalize the burden of that 10 percent of the population which has reared the children of America through the years. Does anybody seriously object to that feature of the bill?

It has been said that there was not a division on the floor today between those who are for school lunches and those who are against them, but the division was whether you wanted Federal contributions to the program or whether you wanted it completely local. I think a different distinction should be made—that the difference is between those who believe in a school-lunch program and propose to do something about it, on the one hand, and those who say they believe in a school-lunch program, but who do not propose to do anything about it at all.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. GRANGER. It is a fact also, is it not, that this is not a program for just the poor children, the country children, or the city children? Does not the gentleman believe that there is a great proportion of the youngsters coming from rich families who do not have any idea what a balanced diet is, just as much as from the farm?

Mr. VOORHIS of California. Indeed, the two groups of children who suffer most from undernourishment in the United States today are those from that group where the families literally cannot afford enough food, on the one hand, and from the wealthiest group, on the other.

Mr. Chairman, one point I hope I will be able to get across to every Member of this House is the one I am going to make right now: Under the terms of this bill, it is utterly impossible for a single school-lunch program in a single school in any community in this Nation to be conducted for a single child unless the local people in that community first organize a school-lunch program, first employ the people to conduct it, first get the equipment for the purpose of conducting it, and then, finally, after the school-lunch program in their community has been wholly set up by local initiative, we come along and say, "You have done a good job, and we find that in connection with a program which we believe is important for the health of the children first, and second for the agriculture of this Nation it is possible for the Federal Government to contribute, out of what in many cases would otherwise be a wasted surplus, a fraction of the food for your local school-lunch program."

It seems to me that we are doing a thoroughly good thing. It is only proposed that in communities where the local people have taken the initiative and organized these school-lunch programs, then, through their State educational agency, the Federal Government will supply a part of the food which is going to be needed in order to enable these children to have adequate nourishment,

In many, many instances this will be foodstuffs which the Department of Agriculture is obligated to purchase in any event if we are going to be true to our commitments to the farmers of America. In such cases our choice is between the passage of legislation of this character on the one hand or saying "No; we are not going to channel this foodstuff into the stomachs of the children of America, but we are going to let it go to waste, or be dumped abroad." As the gentleman from Kansas so ably pointed out, it is not the \$50,000,000, it is not just the food the children eat, it is the development of better eating habits in the people of America that is important, because it has been demonstrated that the experiences of better food habits developed as a result of being able to eat what the children really need are carried by those children home to their parents.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. CANFIELD. Will the gentleman be good enough to tell me the answer to this question: Is it true that the children of parochial schools are provided for in title I and excluded from title II?

Mr. VOORHIS of California. As I read the bill I am afraid that is true, and I want to say to the gentleman that I do not think it should be true. I think title I is right and I think title II is in error about that. That could be corrected by a very simple amendment striking out subparagraph 3 of section 203 (a), I believe, of title II.

Mr. Chairman, I want to read to the House a letter written by a school teacher in the State of Missouri. It is very short. She states:

LETTER FROM A MISSOURI SCHOOL TEACHER
JANUARY 1941.

We feel that the hot-lunch program is one of the best things the State of Missouri has done for the children in many years. I find that my school children have gained from 3 to 10 pounds of flesh since we started about the 1st of September. This is my second year to sponsor the hot-lunch program and I find that it also helps attendance. Wish to say that our program is working perfectly and we are very grateful to the State of Missouri for it.

This school teacher, although she sponsored the program, did not know that the Federal Government had anything to do with it. Does anyone want more proof that these "terrible bureaucrats" have not in fact made people think themselves dependent on the Federal Government?

The CHAIRMAN. The time of the gentleman from California has expired.

(Mr. VOORHIS of California asked and was given permission to revise and extend his remarks.)

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read, as follows:

Be it enacted, etc., That this act may be cited as the "National School Lunch Act."

DECLARATION OF POLICY

SEC. 2. It is hereby declared to be the policy of Congress, as a measure of national security, to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assist-

ing the States, through grants-in-aid and other means, in providing an adequate supply of foods and other facilities for the establishment, maintenance, operation, and expansion of school-lunch and nutrition-education programs.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I offer an amendment.

The Clerk read, as follows:

Amendment offered by Mr. EDWIN ARTHUR HALL: Page 2, line 3, after the word "of", insert "non-profit."

HALL AMENDMENT ADOPTED BY HOUSE WHICH ASSURES SCHOOL LUNCHES BASED ON NON-PROFIT

Mr. EDWIN ARTHUR HALL. Mr. Chairman, as I was thumbing through the pages of this bill it occurred to me on the spur of the moment that we should correct a sentence in the declaration of policy, so I am offering what I consider a necessary amendment to show the House and the country that this program is designed on a nonprofit basis.

Today, with food prices soaring and rapidly getting out of reach of the average person, a Nation-wide school-lunch program ought to be encouraged to make nourishing food available to American children.

People work themselves up to a feverish pitch on the question of feeding children of other nations. But I hear opposition from many quarters whenever the proposal is made to give our own undernourished the chance to have a balanced hot lunch.

In this bill, no assurance is given that selfish politicians or manipulators will not gouge out large slices of the money we are appropriating.

I mean to prevent any large profit taking in this humane program if I can. It would be a sin against America for greedy and unscrupulous men to seize advantage of dollars voted for feeding innocent youngsters and put them in their own pockets.

I hope this amendment which declares a non-profit policy must be followed in administration of the school-lunch program will be adopted.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield to the gentleman from Virginia.

Mr. FLANNAGAN. I am sure this is what the program does, and I have no objection to inserting the words "non-profit."

Mr. EDWIN ARTHUR HALL. I thank the gentleman, and on his assurance I will not continue further.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. EDWIN ARTHUR HALL].

The amendment was agreed to.

The Clerk read as follows:

TITLE I—ASSISTANCE IN PROVIDING FOOD APPROPRIATIONS AUTHORIZED

SEC. 101. For each fiscal year, beginning with the fiscal year ending June 30, 1946, there is hereby authorized to be appropriated, out of money in the Treasury not otherwise appropriated, such sums as may be necessary, not exceeding \$50,000,000, to enable the Secretary of Agriculture (hereinafter referred to as the "Secretary") to carry out the provisions of this title. For the fiscal year ending June 30, 1946, the funds made available to the Secretary under the item entitled

"School-Lunch Program," Department of Agriculture Appropriation Act, 1946, are hereby made immediately available for carrying out the provisions of this title during such year.

Mr. FLANNAGAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FLANNAGAN: On page 2, line 8, delete the date "June 30, 1946" and insert the date "June 30, 1947."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. FLANNAGAN].

The amendment was agreed to.

Mr. FLANNAGAN. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. FLANNAGAN: On page 2, lines 13 to 18, delete the sentence beginning "For the fiscal year ending June 30, 1946."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. FLANNAGAN].

The amendment was agreed to.

The Clerk read, as follows:

APPORTIONMENTS TO STATES

SEC. 102. The Secretary shall apportion among the States during each fiscal year not less than 75 percent of the funds appropriated for such year for carrying out the provisions of this title: *Provided*, That of the funds available to the Secretary for the purposes of this title not in excess of 2 percent thereof shall be available to the Secretary for use directly in nonprofit child-care centers: *Provided further*, That of the funds made available by this title not in excess of \$1,500,000 can be used in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands. Apportionment among the States shall be made on the basis of two factors: (1) The number of children in the State between the ages of 5 and 17, inclusive, and (2) the need for assistance in the State as indicated by the relation of the per capita income in the United States to the per capita income in the State. The amount of the initial apportionment to any State shall be determined by the following method: First, determine an index for the State by multiplying factors (1) and (2); second, divide this index by the sum of the indices for all the States; and, finally, apply the figure thus obtained to the total funds to be apportioned. For the purpose of this section, the number of children in the State and per capita income figures shall be the latest figures certified by the Department of Commerce. For the purposes of this title, "school" means any public or nonprofit private school of high-school grade or under. If any State cannot utilize all funds so apportioned to it, or if additional funds are available under this title for apportionment among the States, the Secretary shall make further apportionments to the remaining States in the same manner.

Mr. GARY. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GARY. Mr. Chairman, when my daughter was 6 months old an epidemic of intestinal influenza swept the city of Richmond, taking the lives of many infants. She contracted the disease and survived, following a rigorous treatment which denied her all food except sugar and water for a week or two. Eight or ten years later I carried her to a dentist,

and after examining her teeth, although he was not familiar with her history, he told me that he would say that she had experienced a spell of illness when she was 6 months old, because of certain marks on her teeth, indicating malnutrition at that time. I cite this personal incident to illustrate that malnutrition does leave its marks upon an individual, which time does not easily erase. In this connection, I shudder to think of the physical defects and health conditions which will exist in the war-torn countries for at least the next generation. The children of those countries have faced hunger, not for weeks, but for months and even years. In many cases, their teeth are softened and decayed, their bones are bent and twisted, and their bodies are distorted and diseased.

It was my privilege to serve for 3 years as president of the Virginia Tuberculosis Association, during which time I gave more study than the average layman to the prevention and eradication of this scourge which has taken such a tremendous toll of human lives. We know that malnutrition is one of the chief contributing causes of this disease. There has been a tremendous increase in the incidence of tuberculosis as a result of war conditions in those countries which suffered the most from the effects of the war. The white plague alone will present challenging problems in those countries during the postwar era.

The realization of these conditions has prompted me to support every appropriation for the United Nations Rehabilitation and Relief Administration which has been presented to the House since I have been a Member, and I shall continue to support such appropriations until the need has been satisfied.

We cannot, however, continue to meet our obligations abroad unless we remain strong at home, and this means that we must not only maintain economic stability, but we must remain a strong, healthy, and virile people. It should be somewhat disconcerting to us to contemplate that slightly more than 15,000,000 men of 18 through 37 years of age were physically examined under the Selective Service System and that approximately 5,000,000 of them were rejected for military service. It can be stated without contradiction that a large number of the defects which caused these rejections had a definite relation to malnutrition. According to the report of the committee which considered this bill, the Surgeon General of the United States presented facts to the committee which showed that 70 percent of the boys who had poor nutrition 10 to 12 years ago were rejected by the selective service. Certainly in this land of prosperity and abundance we cannot afford at this time to discontinue the school-lunch program, which has made such a marked contribution to the improvement of the health of our youth and, at the same time, has aided our agricultural program through the use of commodity surpluses.

It is being said that this bill will give the Federal Government control over our public-school systems. Friends, I am one of those who believe that there are certain fields in which the Federal Government should operate, and certain

fields in which the States should operate without Federal interference, and I believe that the field of education is one which should be left to the control of the States. I challenge anyone in this House, however, to point out a single provision in this bill which will give the Federal Government one iota of control over the State public-school systems.

"Ah!" you say, "but this is the opening wedge. If the Federal Government once gets its finger on any part of the State school program, it will not be long before it will have the entire program within its grasp." This, to me, is equivalent to saying that when a person's body is racked with pain from a serious illness you should not give him an opiate, because opiates are habit-forming and he is likely to become a dope fiend.

We today face the need of a continuation of the school-lunch program. This bill will meet that need. It contains no vicious provisions of Federal control. I shall fight Federal control of the State educational systems whenever the question arises on the floor of this House, but let us not defeat this meritorious measure because of the fear of a future threat which does not now exist.

Mr. SUMNERS of Texas. Mr. Chairman, I rise in opposition to the pro forma amendment, and ask unanimous consent that I may proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SUMNERS of Texas. Mr. Chairman, this has been a very interesting discussion of one of the most important bills that has ever been presented on the floor of this House. Let us see what this bill proposes.

It proposes an authorization of \$50,000,000 which shall be the Federal Government's contribution for lunches for school children, for children at community centers, settlement houses, children's homes, child-aid centers, child day-care centers, playgrounds, boys' or girls' clubs, summer camps, or similar centers and institutions. I quote from the report on this bill near the top of page 7:

The agencies, organizations, or institutions which may qualify as nonprofit child-care centers under this section, and thereby receive funds for a lunch program operated not for profit, are nonprofit community centers, settlement houses, children's homes, child-aid centers, child day-care centers, playgrounds, boys' or girls' clubs, summer camps, or similar centers, institutions, or organizations devoted to the care and training of children.

This starts them—gets them while they are young.

The bill provides in title II—I quote from the bill—as follows:

TITLE II—ASSISTANCE IN PROVIDING NUTRITION, EDUCATION AND SCHOOL-LUNCH FACILITIES
APPROPRIATIONS AUTHORIZED

SEC. 201. For each fiscal year, beginning with the fiscal year ending June 30, 1946, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary, not exceeding \$15,000,000, to enable the United States Commissioner of Education (hereinafter referred to as the "Commis-

sioner"), under the supervision and direction of the Federal Security Administrator, to carry out the provisions of this title.

One hundred and seventy-five thousand dollars per annum is authorized for the expense of administration. The Federal Government has not got any money. It is around \$275,000,000,000 in the red. There is not a State in the Union which is not incomparably better off financially. All together I understand their total indebtedness is less than \$3,000,000,000. Many of them have large cash balances. There was never a time when the solvency of this Government was in greater peril. For this bill to be passed would not reduce the official personnel of the States dealing with their school lunch program or any other program. It would, however, add to the Federal burden as is recognized by the \$175,000 to pay for the Federal Government's participation. It does not seem to me we need any more tax burden or an increase in our policy of duplicated governmental administration, the States and Federal Government working at the same jobs. Why this bill? Have we reached that low level in America where we cannot trust the people in our States and communities to take care of their children? Did all of wisdom and interest and sense of responsibility and capacity come to Washington with us from our respective districts?

Federal Government appropriations to the States. Where in the name of common sense does the Federal Government get its money? It gets it from the mothers and fathers of these same children in these States, or by selling more bonds for these children and their children's children to pay. They will pay for these lunches plus this \$175,000 per annum administration cost plus the \$15,000,000 educational fund, but they will pay more than that. That is what makes this bill so tremendously important.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. FLANNAGAN. I believe it would be advisable for the gentleman to read the bill before proceeding further because there is not one line in this bill which turns over \$15,000,000 to the Federal Department of Education.

Mr. SUMNERS of Texas. It is to be spent for educational purposes, is it not?

Mr. FLANNAGAN. But it is to be spent down in the States under the direction of State superintendents.

Mr. SUMNERS of Texas. I appreciate that correction. The chairman of the committee is a fine public servant and a fine man. But the Federal Government's power usually follows the Federal dollar. If it does not in this bill much now, it will catch up soon. This bill carries a provision that if the Federal administrator feels the States are not living up to requirements, he can cut them off from Federal funds until they comply, or get a court decision. That is a little power and then there is the general direction in section 205, "The Commissioner shall take all necessary measures to facilitate the carrying out of his functions under this title." That is right. That is the nature of this sort of thing. How does this bill work into what we need to do.

That is the important thing in this bill. Where are we now in this general governmental set-up? Can anybody doubt that there is urgent necessity to get the States into operation as responsible sovereign units of general government as quickly as possible, not only in order that we here can properly attend to the Federal business, business which the States cannot discharge, business which the Federal Government was created by the States to do as their agent, but get the States to working at the States' job, so that they will hold what governmental power they have left and grow and develop in governmental capacity. Is there a single Member on the floor of the House who can face his constituents and tell them that he can have an advised independent judgment about what the Federal Government is doing through these nearly 3,000,000 people scattered over the United States?

As I see it, and I am doing my best to see it as it is, we have got to decentralize governmental power or lose our chance to maintain a government by the people. The people cannot operate this thing we have got. We have got to wean ourselves from dependence upon Washington for a thing so intimate, so completely within State and community governmental capacity as that which is covered by this bill. But of equal, if not greater, importance, is this fact. This bill touches the children, millions of children, in the formative period of their lives and carries the argument to them of the futility of State government. The food which they are to eat provides the demonstration that that is the judgment of the Congress. If you listen to my good friends on the floor of this House, anybody in the gallery would believe there is not any responsibility or dependability on the part of the States to take care of a thing so important as their own children. That is just assumed in the bill. If they are competent what is the use of this bill? What is the use of a duplication of governmental powers? Have not we enough taxes already? You have to maintain your State governments anyway; do you not? Is there anything in this bill that would reduce a single State employee? You saddle another governmental agency on the backs of the taxpayers of this country to work at the same job. Is that not right? Who can answer to the contrary?

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I will stand by that statement.

Mr. FLANNAGAN. We are not creating a single bureaucracy under this legislation.

Mr. SUMNERS of Texas. Who is going to check up on the contracts made with the States if it is not going to be some Federal agency?

Mr. FLANNAGAN. It will be a Federal agency which is already in operation.

Mr. SUMNERS of Texas. It will take additional personnel. I cannot yield further.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I am making my own arguments. I cannot yield to the gentleman further.

Mr. FLANNAGAN. I know the gentleman does not want to mislead the Members of the House.

Mr. SUMNERS of Texas. No; I do not; and I am going to stand by that statement.

That is not all. What is this \$50,000,000? What is it invested in? It is for lunches. I would not be so concerned if that were all. I do not say it is intended, but that \$50,000,000 is invested in the bait that goes over the hook. Every child in the United States who goes to one of these schools or belongs to one of these camps is supposed to be getting something for nothing from Uncle Sam. That is the hurt. They are to be citizens of this country tomorrow as time is measured in a nation's life.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I cannot yield further. Schools are places where children are to be taught things to guide them in future responsibility. A democracy is an association of private people engaged in the common enterprise of governing themselves. The States and their subdivisions are the habitat of our democracy. The Federal Government, their agent, commissioned to do a few things for them which they cannot so well do for themselves. Destroy the States as responsible agents of general government and the democracy dies. Destroy the self-reliance, the courage, and general capability of the people to do things for themselves through the smaller units of government which they can control and the democracy dies. They lose the capacity to govern.

When someone connected with this outfit goes down into the States parading around over the country, that will be "the big man from Washington" that helped get the free lunch for nothing from Uncle Sam. They will not tell the children that the people in the States are putting up all the money, all of it and more besides. Every dollar that goes to pay these traveling expenses cuts down on what the people have left to operate their local government and feed and clothe their children. You cannot pull this free pie out of the air. Somebody has to pay for it, and pay for all the attached overhead, the new overhead provided by this bill. There is something which goes along with that food, this Uncle-Sam-for-nothing stuff, which is bad for the grown people in these communities and worse for their children. The Federal Government has neither money nor food; it has to get them both from the people. Besides they have to support those of us on the pay roll.

Now, I do not want to be offensive to the very fine gentlemen of this committee, but I have been working at this thing for a long time. My judgment may be bad judgment, but my judgment is that we have got to turn back to these States the governmental power that lies within their responsibility, or have a fundamental change, a change away from democracy in the distinctive characteristics of our system of government. As a matter of fact, it is chang-

ing now with a rapidity and a completeness unequaled in the history of government. You cannot maintain the structure of this Government upon people that cannot be trusted to feed their own kids in their own States. That is all there is to it. Our people are just as good as we are in Washington. They are just as much interested in their children as we are. They can make their own appropriations out of their own money without having to pay the upkeep of some additional people or being bossed by them either. There is no need to load on them the burden of Federal administration—this \$176,000. They do not need somebody from Washington going down telling them everything on earth and trying to persuade them they cannot do anything on their own. Preaching the doctrine of defeatism and dependence—we are dealing with big stuff today. You inculcate in the minds of these children, at the impressionable age of their lives, that they can get and ought to get things for nothing from Uncle Sam—feed it to them every day; feed it into them with the food they eat—tell me that by that method you build a self-respecting, independent, self-reliant citizenship capable of maintaining a democracy. This sort of intimate thing if to be done should be done by the communities, certainly by no larger or farther away unit of government than their States. Another thing which makes this proposed legislation so important at this time is that there is a definite indication of a turning in the tide back to the States. This bill runs against that trend. Let me read you from a resolution recently adopted by the Federal-State Conference on State Postwar Legislation adopted at its November meeting last year. These are fine words in a time like this. I quote from the resolution:

Resolved, That in the recommendations of the drafting committee of State officials of the council of State governments, that in the interest of development of State responsibilities, the States are urged to rely on their own resources and not to turn to the Federal Government for financial assistance.

Those are fine words, worthy of officials of sovereign States. That is the sentiment we want to build up, must build up. Pat them on the back and tell them they can do it. Trim this Federal Government down to Federal responsibility. That will leave plenty for us to do up here. Then, we will have a chance to operate this Federal Government under laws enacted by the Congress instead of by directives promulgated by bureaus. Then we would exercise in the States the governmental power that lies within the governmental capacity of these States. We would build strong, efficient local governments and a strong, virile, self-respecting citizenship capable of governing and of defending their freedom. If we beat down the courage and confidence of those people by this preaching of unfitness to govern, and are relieved from the necessity to think and act upon their own responsibility, they will lose the ability to do these things, even to feed their children and preserve

for them the possibility of remaining free. Time will come under this trend when these people will be so bereft of power by its nonuse that maybe then the people cannot be trusted to take care of their own children. Then the job toward which this type of legislation gives us direction shall have been finished. I do not like to make this speech. I have great respect for the members of this committee. I may be wrong, but I have spent much of my life examining these matters. There is a strong appeal in whatever is of claimed benefit for children. I believe I am interested in them. I am willing to leave to the verdict of history if it should ever take notice of the day if I have not tried to serve them on this occasion. This is no small thing today being considered. We must be somewhere near the forks of the road. Ask yourself, man to man, does this bill help put responsibility back on the people where it has got to be if we survive? Does it tend to give to them self-respect, self-reliance, and courage, qualities indispensable to the maintenance of a democracy? Does it compel them to use their governmental strength in the communities and the States in order that under the greatest natural law there is in the universe they may by its use gain additional strength to meet the greatest challenge of tomorrow.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. FLANNAGAN. Mr. Chairman, I rise in opposition to the pro forma amendment.

I am sorry, indeed, that my good friend the gentleman from Texas [Mr. SUMNERS] has seen fit to oppose this legislation. Probably he can be excused, on the ground that he is an old bachelor and knows very little about children. But I have been here a good long time. I have a deep feeling for the gentleman. I am one of his admirers. I have watched the gentleman operate. His action today disturbs me no little. I have seen him vote for appropriation bills year in and year out that carried money to look after the welfare of Texas steers if they had the Bang's disease and hogs down in Texas if they had the cholera. Yes, I will go further, I have seen him vote for appropriations to find out the right kind of feed to give the Texas steer. Now, it does seem that if the gentleman is so concerned about the steers, and hogs of Texas he would show more concern over the welfare of the boys and girls down in Texas.

Another thing, the gentleman hails from Dallas, and the Chamber of Commerce of Dallas keeps a paid agent in Washington trying to get every Federal agency it can to locate in Dallas; and I understand he has been so successful that you no longer have any office space for further Federal agencies even if you can get them down there.

Mr. Chairman, I am here pleading for the boys and girls of America, and I believe this Congress will give them at least the same consideration it gives the steers and hogs of Texas.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield.

Mr. TARVER. I wonder if the gentleman's recollection accords with mine that the gentleman from Texas [Mr. SUMNERS] has been one of the most ardent advocates of this program for 10 years, having voted for it and for the appropriation of funds for it over that period of time?

Mr. FLANNAGAN. I am glad the gentleman made that statement for I think it is a correct one.

Mr. WADSWORTH. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I hasten to assure the members of the Committee that I shall not make any attempt to resolve the differences which have just appeared upon the surface of the majority membership, but rather to make a few observations on this bill conscious of the fact that in all probability I cannot add much to the discussion that has already taken place.

It may not be important—probably it is not important—indeed it may not be even interesting to hear me say to you that I live in a typical American village. I live there very happily, I may say; and as I have watched that community live, and thrive, overtake its troubles and work them out over a considerable period of years, I will confess, the more and more confidence I have in the typical American community. We have schools. The children are well fed. The people of the community take an interest in them, and in that respect that village is not distinctive. Unless I am very much mistaken I gave it the right description when I said it was typical of the American village. And we could go up the line in the matter of population and say there are many small cities, thousands of them, until we get into the big cities. One of them was described here by the gentleman from New York [Mr. BUCK] this afternoon, the great city of New York which takes excellent care of its children; and he, you know, was a member of the Board of Education of that city.

Now, confident as I am that the American people living in their communities can take care of their children and of many other things which some people think they are not competent to take care of, I have been the more disturbed for a good many years now, 10 or 12 years at least, perhaps more than that, at the trend which has been all too evident in this country, a trend toward teaching the average citizen that he would better look to Washington for help. That trend has been very evident, as I say, and has been growing stronger and stronger.

Fundamentally, it is statism, a menace which is apparent all over the world today. Step by step central government, no matter what country we are talking about, becomes more and more powerful; it becomes finally the master of the individual and the citizen becomes the subject. You may say that this bill is not to be cited as an evidence of that trend, but it is an evidence of it. It may be a tiny, tiny little step, but it is to be added to many, many other steps that we have taken, many other steps calculated to take away slowly but surely the initiative of the private citizens of the

United States, take away from them their spirit of community enterprise. In our hearts we know perfectly well that the average, typical American community can take care of this lunch program. It has never been urged to do so on a national scale—that is, do it by itself.

I am a great believer in education, education of the adult as well as of the child. It is getting to be more accepted all the time that public health is of enormous importance in any nation, but, after all is said and done, public health starts in the home, then moves to the school, which is a local homelike institution.

Our States and communities are entirely competent to do this thing. I have not yet heard that statement denied in this debate. We are entirely competent to do this thing right in our homes and in our communities and in our States. If that is the case—and I sincerely believe it is—why should we take one more step down the road toward statism?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last four words.

(Mr. SMITH of Ohio asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Ohio. Mr. Chairman, having practiced medicine for 30 years, having studied on the Continent following the other war, where I had the opportunity of observing the effect of malnutrition, I think I know a little bit about this problem. Of course, there are twisted joints and diseased bones, as well as many other pathological conditions, resulting from malnutrition. I wish somebody would point out to me one single outstanding physiologist in this or any other country who would declare that the feeding of these school lunches will cure those conditions or prevent them or even mitigate them in the slightest degree.

The Surgeon General has testified, I understand, regarding the rejections that were made of our inductees because of diseased conditions resulting from malnutrition. The Surgeon General knows, if he is really a practicing physician, which he is not, that there is no truth or foundation whatsoever for that sort of statement. If it is one meal a day now, why not two meals a day next year, and three the next? What is there to prevent it?

I cannot conceive of any greater harm the Congress of the United States could do to the mind of the youth of our America than to pass this bill which provides school lunches to be paid for in part with Federal taxes. To teach children during the most formative period of their lives to rely upon their Government to feed them is to destroy their instinct of self-preservation, the vital attribute of human and social existence.

Under the guise of humanitarianism the regime in control of our Government is building one of the cruellest and most powerful political machines the world has ever known. Tear off from this bill to provide school lunches the mask of benevolence and you will see that its real purpose is to give the Federal Government control over our schools and chil-

dren and all that this implies. Heaven protect the minds of our little ones against the awful corruption which measures such as the one Congress is now considering would visit upon them.

Mr. GWINN of New York. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, I rise as an old member of a school board and as a freshman in Congress making his first speech. I rise at this time because I am shocked as a freshman to realize that this link of government in the United States and the States and the counties is, by the nature of things, the weakest link we have. We in the committees and we in the House time after time must rely on the evidence of the plaintiff on such bills as this. His evidence is presented, his facts are marshaled and the committee listens to it. It has to make a decision. The defendant is not here. Judgment is rendered for the plaintiff by default.

Who says that the rich cannot feed and understand the health of their children? Who says that we in the States pay more attention to pigs and cows and neglect our children? The plaintiff says so, but not the defendant. It is too far for him to come here. In the States we resent such things. Is it possible that you want this legislation because the States cannot afford to pay? The States are operating at a surplus—in 1944 California \$132,000,000, Illinois \$50,000,000, New York \$90,000,000, Alabama \$11,000,000, Arkansas \$6,000,000; and so it goes. State indebtedness all told is only \$2,471,000,000. Seventeen States are entirely out of debt. They can pay, every State can pay.

If we want to be honest, Mr. Chairman, really, let us send some money to the one, two, three, five, or six States that cannot pay if there are any.

No, the fact is—and this is the sad part of it—in Washington, especially in the United States Office of Education, there are certain persons who think they know better, that they are more just, that they know diet, that they know health better than the States. So New York and California are taxed so that the money can come down here so that the United States Office of Education can needle the commissioners of education in the States to do what they ought to do according to Washington.

Mr. RIZLEY. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I had not purposed to speak in connection with this bill though it comes from a committee of which I have the honor to be a member. As a matter of fact, I voted against reporting the bill because I did not like title II, particularly, and I shall support a motion to strike out title II of the bill.

On the other hand, I have listened with a great deal of interest to some of the statements that have been made here, particularly by my good friend the gentleman from Texas, Judge SUMNERS, whom I admire very much, and the distinguished gentleman from New York [Mr. WADSWORTH], both of whom have made the arguments and expressed the same philosophy that I have been making in this House during my entire tenure

of office. I challenge any man in this House, including the distinguished gentleman from New York and the distinguished gentleman from Texas, to show that either has voted more consistently against the advance of bureaus and bureaucratic government in this country, and Federal expenditures, than have I.

The arguments that have been made here, this afternoon by the opponents of this bill it seems to me, apply to the personal and particular whims regarding the legislation immediately before the House. The distinguished gentleman from New York who just spoke told about the financial responsibility and the financial ability of the States at this time as compared with the Federal Government. That is true. On the other hand, his argument would apply just as forcibly to every appropriation of Federal funds in connection with cooperative State and Federal programs. I do not know how the gentleman voted in connection with the huge appropriation that was made to build highways, for soil conservation, rural electrification, and so forth, but someone says, "That is not comparable. The road program is a matching program." I do not know how the gentleman from New York or the gentleman from Texas voted on that.

Mr. SUMNERS of Texas. I voted against it.

Mr. RIZLEY. But it is a comparable program. Sure, people from all sections of the country travel the highways, so it takes on more or less of an interstate character, but if I read the record straight, the kids have almost got to be international and interstate characters in the past few years. We send them to war, we disregard State lines, we draft them through a Federal bureau set up for that purpose.

These gentlemen who are so vociferous now against having the Federal Government participate in a small way in the school-lunch program do not hesitate and have not hesitated to vote huge sums of money to assist the children in every other nation and in every other land under the sun. Only a short time ago I remember that the distinguished gentleman from New York made a speech in behalf of giving \$1,350,000,000 to UNRRA, and again another \$1,350,000,000 to the peoples of other countries. He says, "Yes, but those countries are not able to pay." Let me say to you that there are some little school districts in this country that are not able to pay, but the compulsory military law takes the kids from that little school district just the same. Perhaps the great State of New York can take care of all of its school districts; if it can, well and good. Certainly I am for State control of our educational facilities and I would not for a moment support this bill if I thought the Federal Government would usurp the functions of the States in that respect.

There is a lot of room for argument on both sides of this question. This is not a lot of money. Some of you have been voting for this program for about 10 years, and you have been voting Federal funds for it without any law authorizing it; as a matter of fact, heretofore we have been authorizing the program in

our annual appropriation bill. The Committee on Appropriations has served notice on our committee to assume our responsibility in the matter. We either ought to quit this thing entirely, or legalize it. The Committee on Agriculture has a duty in this respect to pass a law that will authorize the appropriation of funds. We have brought in such a bill, and it is now up to the Congress to approve it or kill the bill. Everybody seems to be for a school-lunch program. I have not heard anybody speak against it this afternoon. They just do not seem to like the sort of program we have offered. I agree with my friend from Texas that of course we do not want to teach our children to be the wards of the Federal Government. We do not want to do it in any respect. The program we have been carrying on for 10 years is almost strictly a Federal program; by that I mean the Federal Government has been out in front. Our bill reverses the order. We have endeavored to protect the rights of the States. And we provide that within a very few years 80 percent of the funds will come from the States or other municipal units of Government. So let us strike out title 2 and pass the bill.

If we want to go clear down the line, let me say to my friend from New York, whom I admire greatly and who stands up here day after day trying to keep the Public Treasury solvent, and it is very badly insolvent now—we are almost bankrupt—if we are going to stop on this little program, let us stop on a lot of other programs. Let us not get excited about some of these things.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. RIZLEY. I yield to the gentleman from New Jersey.

Mr. CANFIELD. The gentleman has just returned from a 29,000-mile trip to the islands of the Pacific. He went to Saipan. He went to Tinian, and he went to Okinawa. Will the gentleman tell his colleagues of the House who is paying for the lunches for the children of these natives over there who just a few months back were fighting our boys?

Mr. RIZLEY. The good old United States.

Mr. BELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, awhile ago I listened with a great deal of interest to the speech of our great colleague from Texas. After the gentleman from Texas had finished, another distinguished Member called attention to the fact that he was an old bachelor and, of course, would not know anything about children. I think in at least one respect I can qualify. I have five children and several grandchildren. I do not believe, however, that fact either qualifies or disqualifies any of us to think or talk about this problem.

I have had a number of people from Government agencies come to my office in recent weeks urging me to vote for this bill. They were people whose jobs depended on whether or not Congress passes this bill and makes the necessary appropriations. They have raised just two points; one was that there are some folks who cannot afford to feed their children; and the other point was that

they did not know how to feed them anyway. As an example, the other day a very charming lady who had never been married and who had never raised any children came to my office. She was very much concerned about the children of America; first, because the people could not afford to feed them. But just the day before a gentleman, also a Government employee, had been in to see me, and he was worried because the common people had so much money—I think he said about \$150,000,000,000—in their pockets. He claimed that it was dangerous money and that we were about to have uncontrolled inflation because everybody down at the grass roots had too much money. So, I called the lady's attention to the statement this gentleman had made to me the day before. She said, "Well, in a way that is true, but the people do not know what to feed their children."

I said, "Well, that brings it down to a question as to whether or not the mothers of America who bore the children and who have raised them and loved them from birth or the bureaucrats who work in these bureaus know more about how to feed the children. So far as I am concerned, I would rather have the mothers in my community decide that they are going to give these children milk and vegetables and meat and fruit than to have some bureaucrat come in from a distance and determine what they shall have to eat."

So, we have a situation as it is today. One argument is that there is no money to feed them, and the other is that the parents do not know how to feed them. But, gentlemen, this whole thing runs much deeper than that, as the distinguished gentleman from New York pointed out awhile ago. It is a question which is facing the whole world today—the question as to whether or not we are going to follow the principle of private enterprise, the principle of the American form of government, the principle that has made America great, and the principle that sent our forefathers out to the fields and across this country as pioneers to develop it, or whether we are going to implant in the coming generation of children, a feeling that they cannot help themselves and that they must depend upon an all-wise White Father in Washington and whether we are going to rob them of those things that our forefathers handed down to us. In other words, whether we are going to adopt that form of socialism which has brought poverty and misery, and has brought hideous creeping paralysis to the economic life of every country that has ever adopted it, or whether we are going on as Americans, as the greatest, the freest, and most properous country in the world.

I have just talked with five or six Members of Congress who recently toured and saw conditions inside Russia. Russia has the greatest population of any country in the world today and the greatest natural resources, yet Members of this House who went over there and had every opportunity to see and know, tell me that the ordinary people of that country, the common people, have the lowest standard of living of any country

they have ever known about, and that the individual has less liberty than the Negro slaves had in this country before the Civil War.

If you want to bring that on to America, just keep on in this trend toward socialism.

The CHAIRMAN. The time of the gentleman from Missouri [Mr. BELL] has expired.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, during my 17 years as a Member of this body, serving a few months under the late President Coolidge, 4 years under former President Hoover, and for about 13 years under the dynamic Franklin D. Roosevelt, I have heard the same arguments advanced repeatedly against every humane piece of legislation, that it was socialism. I have heard arguments about regimentation, socialism, and communism. My study of history shows that the quickest road to communism and radicalism is for those entrusted with the responsibility, care, and conduct of Government, to fail to recognize that the first obligation of government is to bring justice to its people, and to forget those who are underprivileged and those who are, as I have often termed it, on the bad side of the ledger.

The situation in Russia was due to the poor leadership, the vicious leadership of the czars, for generations—failing to respond to their obligations, allowing millions of people to starve for generations, and persecuting the people. The people reacted, and they turned from one form to the extreme opposite.

The same thing happened in Germany, with the liquidation of the middle classes, and the formation of two economic groups. The powerful interests thought they had their man in Hitler. They failed to perform their duties to the average citizen.

So we have had in America a constant outcry about socialism—yes; even communism—to every progressive measure that has come up in this body during the 17 years I have been a Member of it.

I dare any Member to put in a bill to repeal any of the great humane measures that have been enacted into law during the past 13 years—the Securities and Exchange Act; collective bargaining; control of the stock exchanges; the wiping out of unnecessary holding companies; social security—all of the great reform measures that encountered opposition and were branded communism and socialism are in the list; and I challenge any Member to introduce a bill to repeal them, and I will challenge either of the two major parties to take a position in favor of the repeal of any great measure that has been passed during the last 13 years, but which were so vigorously opposed when they were considered in this body.

My very beloved friend from Texas raises the cry of States' rights. Yes; and my mind goes back to 1937 or 1938, when I introduced a bill for the Federal Government to make a 100-percent contribution to flood control to build dams. Every Republican from New England opposed it, calling upon States' rights. I

had no flood control in my district. My friend from Texas supported me, as did every other progressive, because there was a challenge to the Federal Government. But today my colleagues from New England on the Republican side who opposed it, but who had dams in their district and flood-control problems, now claim credit for every dam that has been built as a result of a bill I introduced and passed.

I wonder if those who oppose this bill on the ground of States' rights would stand for the repeal of the Federal-Aid Highway Act, the Federal road-building program, to which the gentleman from Oklahoma so aptly referred, or all of the laws or any of them which call for an appropriation by the Federal Government that benefits the several States?

I wonder if my friend the gentleman from New York [Mr. WADSWORTH], when he talked about "statism"—the new fear that was invented a week ago on Saturday night by former President Hoover—the new fear of "statism"—I wish somebody would define it; I wonder what my friend the gentleman from New York [Mr. WADSWORTH], who opposes this bill, thinks about compulsory military service—we know he is advocating it, yet he opposes this bill.

I am not sold on compulsory military training yet; they have not got me supporting that bill yet.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. There is only one ground upon which I would support that legislation and that would be the national interest of my country, if international action to outlaw war fails, and other nations of the world take the road of imperialism. Only for the preservation of my country, and primarily that, would I support legislation that would call for compulsory military training of the youth of our land; and yet my friend talks about statism, against this humane bill relating to the underprivileged children of America for whom we have been caring for 10 years. Yet at the same time he is the strongest advocate of compulsory military training. I respect him for it, but I cannot see his argument against this bill. He talks stateism against this bill, but he advocates the passage of permanent compulsory military training.

The program dealt with by this bill has been going on for 10 years. I am talking about title I. It is a humane bill, it is a States' rights bill, because the States administer it so far as title I is concerned. This bill is progressive as bringing justice to the underprivileged children of America, which is a part of the first duty of government. Let us go forward, we who have eyes that look forward, with the progressive viewpoint, respecting the honest views of those who are conservative, but let us go forward, those who have eyes that look forward into the

future and through the years ahead, and vote for the passage of this bill which is a progressive measure, a step in the right direction for the best interests of our country.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. HOFFMAN. Mr. Chairman, I rise in opposition to the pro forma amendment.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

(Mr. HOFFMAN asked and was given permission to revise and extend his remarks.)

Mr. HOFFMAN. Mr. Chairman, whenever the majority party wants to put through a measure they call upon the gentleman from Massachusetts, and as always, today he did a very good job of cracking the party whip. He called attention to the fact that New Deal measures have been on the books over a period of 10 or more years without ruining this country. What does that prove? It makes me think of the Irishman who used to drink a quart or two of whisky at a sitting, then point to his ability to walk a chalk line as proof not of his powers of resistance but as the weakness of the liquor. He said there was no harm, no potency, in the whisky. But he was a strong, rugged individual. As we all know, it takes a lot to drag this country down, to tear down the citadel of liberty, to destroy the opportunity for prosperity, for education our forefathers gave us, but the New Deal which the gentleman praises so highly has taken us a long, long way over that road. We have around a \$300,000,000 debt, a horde of petty dictators and tyrants. You, the majority party, have the people in the shackles, the late President said, when he had returned to Washington. You have a confused, bewildered people. You have the greatest production machine in the world tied up by the machinations of political-minded officeholders intent upon their own reelection, trading special privileges, wage increases, which break price control, for votes in 1946 and 1949.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. McCORMACK. Did the gentleman vote for them or most of them?

Mr. HOFFMAN. For what?

Mr. McCORMACK. For the purpose of saving this little place known as the United States of America during the last war?

Mr. HOFFMAN. I did not vote for New Deal measures.

Mr. McCORMACK. Did the gentleman vote for appropriations during the war?

Mr. HOFFMAN. Certainly I did, as did everyone who loved this country. What has that got to do with the giveaway policy? Who would not vote for the defense of America after some had so manipulated things we were thrown into a war? Who did not keep us out of the war anyway? Have you learned from the Pearl Harbor investigation whose blundering caused or permitted that disaster? I remember the day the editor

of the New York Times wrote we got in the war when we passed the lend-lease bill.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield further?

Mr. HOFFMAN. I cannot. Let me take my time.

The gentleman was telling us that our mothers' children had never been properly brought up, nor fed nor educated, I presume. Well, when I look around me sometimes, and when I go over and look in the mirror, I think maybe my mother and your mothers did not do a really good job, and if that theory applies to me it applies to the rest of you. Perhaps our poor mothers, God rest their souls, did the best with what they had to do with—they made some pretty good men out of some rather poor material, some not-too-good boys. Are you ashamed of what your mother did for you or what your dad did when he applied the little old barrel stave out in the woodshed? Sometimes I think he did not use it often enough on some of us.

Let me tell you something else. In 1935 and 1936 the sugar-beet growers in Michigan wanted to continue in business and we had a little meeting up in the office of our good dear departed friend, that statesman who did so much for us and for his country while he was with us, our friend, Carl Mapes, from the district now so well represented by BARNEY JONKMAN. Secretary Wallace, of the Department of Agriculture, sent up three distinguished gentlemen to reason with us and to point out to us why we should quit growing sugar beets in Michigan, why we should quit trying to make sugar. They said to us, "Well, now, Colorado can grow a sugar beet with a great deal more sugar content than can Michigan and sooner or later you fellows in Michigan will have to go out of the business. You will go out of the sugar-beet business, but you can grow something else." They did not tell us what. Then they said, "Down in Florida and Louisiana they can produce sugar from cane at less expense than you can, at less expense than Colorado can, and ultimately Colorado is going to be put out of the sugar-beet business, too." They said further, "Not only that, but in the offshore areas they can produce sugar much cheaper than can Louisiana and Florida and sooner or later Louisiana and Florida are going out of business." I asked them, "What is the idea back of all this?" They said, "Wherever and whenever in this world you can do anything at less cost than can the other fellow, then the one who can do it the cheapest is to do it. That is the way it ought to be. That is the way it is to be. Your sugar-beet growers can just quit growing sugar beets—grow something else."

I thought that one over a little. I felt sorry for my farmers. I felt sorry for a lot of other people who were to be told what to do and when to do it. I even felt sorry for the little pigs which were to be killed and instead of being made into hams, bacon, and sausage, and hung in a pig's heaven were to be thrown into the Missouri River as many were, or sent to a soap or grease or fertilizer plant.

Finally I said, "If that is so, you know

that the Chinaman can produce children and more of them cheaper, yes, and educate them cheaper, than we can. Why don't you let the Chinaman raise all of our children for us and educate them over there?" He said, "You are just crazy." I did not deny that—but I said, "I am no crazier than you are." And I do not believe in that philosophy of those Wallace men to this day. Nor do I believe that Wallace knew what he was talking about the other day if he said what the press reports—that the children of the District were undernourished.

You know, the old way was a pretty good way and I feel sorry for you folks on the majority side who feel so sorry for your poor mothers and for the grandmothers who are the mothers of your mothers and so on back down the line, that they did such a poor job; but you are here and you look pretty well fed and pretty well clothed. You have homes, an education—still a little freedom and liberty—still a chance to vote away billions of dollars of other people's money to feed, clothe, educate, and reestablish other people and other nations in business. Your great-grandparents did a fairly good job for and in this land of ours, and for your grandparents, and they did not do so bad for your parents and even our parents did quite well for and by us. Sure they were all old fogies, back numbers, lived in the horse-and-buggy days when thrift and work and honesty were virtues. They laid the foundation. They created the Nation, and now when we point with pride to the strongest nation in all the world, the nation most prosperous, with the greatest freedom, and beg of you to follow in their footsteps down the straight and narrow road, you cry out that we are just yelling "wolf." Then when the big bad wolf of communism, of statism, of regimentation finally gets his yellow fangs into you, it may be too late to turn backward. "Wide is the gate and broad is the way that leadeth to destruction, and many there be which go in thereat."

Opening here before us in this bill is one of those wide gates, an easy, popular, pleasant way on the road toward regimentation, toward dictatorship. Those who will may follow through, but as for me, the principles, tried and proven, are still good enough.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The Clerk read as follows:

DIRECT FEDERAL EXPENDITURE

SEC. 103. The funds appropriated for any fiscal year for carrying out the provisions of this title, less such amounts as the Congress makes available to the Secretary for his administrative expenses (but not in excess of 3 percent of the funds appropriated for the purposes of this title) and less the amount apportioned by him among the States pursuant to section 102, shall be available to the Secretary during such year for direct expenditure by him for agricultural commodities and other foods to be distributed among the States and schools participating in the school-lunch program under this title. The provisions of law contained in the proviso of the act of June 28, 1937 (50 Stat. 323), facilitating operations with respect to the purchase and disposition of surplus agricultural commodities under section 32 of the act approved August 24, 1935 (49 Stat. 774), as amended, shall, to the extent not incon-

sistent with the provisions of this title, also be applicable to expenditures of funds by the Secretary under this title.

Mr. FLANNAGAN. Mr. Chairman, I offer two committee amendments.

The Clerk read as follows:

Committee amendment offered by Mr. FLANNAGAN: Page 4, line 8, after the words "to section 102", delete the comma and insert "and less the amount allotted to nonprofit child care centers."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. FLANNAGAN].

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment offered by Mr. FLANNAGAN: Page 4, line 12, after the word "title", delete the period and insert "In accordance with the needs as determined by the school authorities."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. FLANNAGAN].

The committee amendment was agreed to.

The Clerk read as follows:

PAYMENTS TO STATES

SEC. 104. (a) Funds apportioned to any State pursuant to section 102 during any fiscal year shall be available for payment to such State for disbursement by the State educational agency, in accordance with agreements entered into by the Secretary and such State educational agency, as authorized by the provisions of this title, for the purpose of assisting schools of that State during such fiscal year, in supplying agricultural commodities and other foods for consumption by children in the school-lunch program under this title. Such payments to any State during the fiscal years 1946 and 1947 shall be made upon condition that each dollar thereof will be matched during each such year by \$1 from sources within the State determined by the Secretary to have been expended in connection with the school-lunch program under this title. Such payments during the fiscal year 1948 shall be made upon condition that each dollar thereof will be so matched by \$2. Such payments during the fiscal years 1949 and 1950 shall be made upon condition that each dollar thereof will be so matched by \$3; and for any fiscal year thereafter, such payments shall be made upon condition that each dollar will be so matched by \$4. In the case of any State whose per capita income is less than the per capita income of the United States, the matching required for any fiscal year shall be decreased by the percentage which the State per capita income is below the per capita income of the United States. For the purpose of determining whether the matching requirements of this section and section 108 (d), respectively, have been met, the reasonable value of donated services, supplies, facilities, and equipment as certified, respectively, by the State educational agency and, in the case of schools receiving funds pursuant to section 108 (d), by such schools (but not the cost or value of land, of the acquisition, construction, or alteration of buildings, of commodities donated by the Secretary, or of Federal contributions made pursuant to title II) may be regarded as funds from sources within the State expended in connection with the school-lunch program. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this section and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

(b) In the event that the total of the funds from sources within the State which may be considered as matching funds under this section or section 202 (c) do not completely match, in accordance with the requirements of such sections, the funds apportioned to the State under both titles I and II (and not withheld under sec. 108 (d)), the State educational agency may determine from time to time the application of such funds from sources within the State against the matching requirements of this section and section 202 (c), respectively, except that funds from sources within the State used in connection with schools not participating in the school-lunch program under title I may not be used for matching funds under title I.

Mr. FLANNAGAN. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. FLANNAGAN: Page 5, line 6, delete the words "years 1946 and 1947" and insert "year 1947."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. FLANNAGAN].

The committee amendment was agreed to.

Mr. FLANNAGAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JACKSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. KOPPLEMANN asked and was given permission to extend his remarks in the RECORD and include an address delivered by Henry Wallace.

Mr. GWINN of New York asked and was given permission to extend his remarks in the RECORD on the subject of Joseph E. Davies.

Mr. ROE of Maryland asked and was given permission to extend his remarks in the RECORD and include an editorial from the Baltimore Sun.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD and include a letter from the superintendent of public instruction of the State of Illinois in support of H. R. 3370.

Mr. LUDLOW asked and was given permission to extend his remarks in the RECORD and include an address delivered by Orvis A. Schmidt, Director, Foreign Funds Control.

PERMISSION TO ADDRESS THE HOUSE

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent that on May 3, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 2 hours.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. FLANNAGAN asked and was given permission to revise and extend the remarks he had made earlier in the day and include endorsements of the pending legislation by farm organizations and certain other organizations.

Mr. SUMNERS of Texas and Mr. DOYLE asked and were given permission to revise and extend their remarks.

Mr. PATMAN asked and was given permission to extend his remarks in the RECORD on three subjects and include certain statements and excerpts, together with a radio address delivered last night on the housing bill.

Mr. ROWAN asked and was given permission to extend his remarks in the RECORD and include a statement on universal military training by Robert M. Hutchins, chancellor of the University of Chicago.

Mr. FLOOD asked and was given permission to extend his remarks in the RECORD and include a speech delivered by him in New York last Sunday night on Lithuanian independence.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 30 minutes.

THE CRISIS IN MEN'S CLOTHING—A CLOTHING EXPEDITER NEEDED

Mr. HOLIFIELD. Mr. Speaker, the appointment of Mr. Wilson Wyatt as the Nation's housing expediter is, I believe, a wise move in the direction of speeding up the supply of houses for veterans first, and others later. Why was it necessary to appoint an expediter, giving him special powers and fixing special responsibilities on him? The answer is apparent to everyone.

First the price of housing had risen beyond the reach of returning veterans and others in the average income bracket.

Second the production of houses of reasonable prices had decreased to the vanishing point.

The question immediately occurs as to why this conditions had developed in a business where WPB—now, CPA—controlled priority allocations of materials. The OPA controlled prices of building materials and for the past 3 years wages have been frozen? The answer is simple. The controls slowed up production, and it was necessary to give an expediter adequate power to coordinate the different Government regulatory bodies in a unified program, dedicated to producing the maximum number of houses in the shortest length of time. I believe that Mr. Truman has finally made the necessary move toward solving the housing problem.

CRISIS IN MEN'S CLOTHING SUPPLY

But I do not plan to talk to you today on housing. I want to talk with you on a subject that is equally important to the returned veteran and the ordinary man of civilian life. It is the present crisis in men's clothing. During the fiscal year following VJ-day approximately 9,000,000 men will return to civilian life. As soon as the veteran leaves the demobilization center he goes to a men's clothing store for his first outfit of "civies".

The uniform he has worn for two, three or more years is a symbol of regimentation, of suffering, of sacrifice and the years of loneliness and separation from his family which he has undergone. A few years from today he will gaze upon his uniform proudly, but today he wants to exchange it for civilian clothes. He wants to take the first step in his change from a soldier or sailor to a civilian. His fond hopes are soon dashed to the ground however, when store after store regretfully informs him that their clothing racks and cases are empty. No men's suits, no shirts, no sport coats, no extra trousers, no underwear and no pajamas to sleep in.

Where a limited stock is available, the prices are substantially higher than pre-war prices. Luxury items have replaced utility items, higher-priced items have replaced lower-priced items. But above all and over all, scarcity rules the men's clothing stores of the United States today.

A personal survey of several men's stores, men's wear manufacturers and warehouses leads me to assert that less than 20 percent of the normal inventory of men's clothing is available. I spent several days lately checking manufacturers, warehouses, and retail stores in order that I might describe from first-hand knowledge the actual conditions prevailing in the men's wear industry. I know what the veteran faces in his quest for civilian clothes, I can understand his disappointment in his failure to find enough decent quality and decent-priced clothing to enable him to exchange his uniform for "civies." I can understand why that disappointment rapidly turns into resentment and bitterness as he trudges from store to store without success. When the individual veteran's resentment is multiplied by several million veterans and their families, it becomes a force to be reckoned with. I believe the scarcity of men's clothing can be overcome by first, properly understanding the reasons for the scarcity and, second, by taking proper steps to obtain production of men's clothing. I believe that it will be necessary to follow the same procedure in this important industry to obtain production as finally decided upon in the housing industry, that is, the concentration of power in the hands of an expediter whose one aim shall be the solution of men's clothing production within the framework of standard business practices and within reasonable noninflationary bounds. I will return to the above proposal later and discuss at some length the qualifications, duties, and responsibilities of a clothing expediter.

CAUSES OF SCARCITY IN MEN'S CLOTHING

At the present I wish to discuss the reasons for the present scarcity of men's clothing. To begin with, the abnormal demand of our military forces during the war completely upset normal civilian production. By the end of 1945 practically all the woolen mills were engaged filling the armed forces needs for uni-

forms, woolen blankets, woolen socks, and other woolen textile needs.

Almost the same condition applied in the cotton and rayon industries. The use of cotton and rayon textiles for clothing, parachutes, tenting, surgical supplies, and so forth, was enormous and peaks of production were reached that seemed impossible to the mill owners.

During forty-two, forty-three, forty-four, and forty-five the constantly increasing military use of textiles was causing a constantly growing deficiency in civilian inventories, both in the home and in the commercial reserves. Coincident with this domestic deficiency or scarcity, the purchasing power, and therefore the domestic demand, was steadily increasing.

MILITARY NEEDS FILLED BY PRIORITY

It was necessary to control production as to type of textiles needed and to channel supply to manufacturers by priority purchase rights, in order to insure the military needs. This was accomplished through the War Production Board.

CIVILIAN NEEDS DEPENDED OF FREE GOODS

The residue of textile production was allowed to enter the civilian market as free goods. The mills were not placed under compulsion as to the allocation of this limited amount of free goods. And because of the excessive civilian demand and the short supply, the mills suddenly found themselves in a very advantageous position.

BREAK-DOWN OF NORMAL BUSINESS PROCEDURES

Many strange things began to happen. The separate mill operations, such as weaving, converting, and finishing, which for generations had been performed by separately owned mills, now began to consolidate their ownership and control. Not only in the textile manufacturing field were historical procedures disturbed, but in many instances every step of the industry was integrated under one financial control. Thus in textiles we see six or seven former independent-owner operations integrated under one financial control and the separate profits of each operation, consolidated for one owner. The weaver, converter, finisher, textile jobber, clothing manufacturer, clothing jobber, and in some instances even the clothing retailer, formerly independent links in the clothing industry, became a connected chain controlled and owned by a central financial entity. What was the reason for this development? In the first place such combinations were profitable in almost every operation. If a separate operation was unprofitable due to OPA price regulations, the operator still had the advantage of a supplier of a badly needed product in a scarce market. He used this advantage to force the integration of the next operation or the remaining operations until he controlled the complete chain of operations from the first basic manufacturer, in this case the weaver, to the final retail outlet to the consumer.

Where this complete integration did not occur, partial integration took place between two or more operations. All of these changes in historical procedure of the textile and clothing manufacturing industries were wholly legitimate and, although very painful to many small

manufacturers who were suddenly deprived of their historical source of supply and thereby forced out of business, no recourse by law was possible. The manufacturer of clothing, shorn of his historical supply of goods, had to close down his plant or go black, because no legitimate supplier was accepting new customers. The legitimate independent supplier continued to divide his limited amount of free goods between his old customers because of his feeling of loyalty and not because of laws or regulations of OPA.

MILLS REFUSE TO MAKE CHEAP RANGE OF CLOTH

Another important factor in breaking down the historical process of the mill end of the clothing industry was the refusal of the mills to make the low-priced ranges of cloth because of low profits or losses due to increased production costs, and the concentration on higher priced ranges of cloth where more profit could be made. Obviously the same looms, labor, and raw materials could be more profitably occupied making higher priced cloth than low priced cloth. This practice of the textile mills, woolen, rayon, and cotton was the important factor in the disappearance of low- and medium-priced clothing from the market. It was also the main factor in the excessive profits of the textile mills during the war years. No attempt to place effective controls on the mills to prevent this practice was made until it was too late.

MAXIMUM AVERAGE PRICE REGULATION—OPA ATTEMPTS TO RESTORE LOW PRICED LINES

After the low-priced goods and clothing had disappeared from the stores the OPA attempted through its maximum average price regulation to force the manufacturers to produce low- and medium-priced clothing, but this regulation failed because it was an attempt to channel production at the manufacturers' level into low- and medium-priced clothing, without forcing the mills to make the low- and medium-priced materials, which the manufacturer had used in the past.

MAP GREAT MISTAKE OF OPA

In my opinion this was the greatest mistake made by the OPA in its clothing control program. I appeared before the so-called Smith committee in the spring of 1944, and in a lengthy statement pointed out fallacy of the MAP regulation. The textile expert on the WPB staff, Mr. Marriner, was present when I denounced the MAP regulation and predicted its failure unless the corresponding controls were placed on the mills to produce low- and medium-priced goods for low- and medium-priced clothing.

TEXTILE MILL INTERESTS TO POWERFUL

Apparently the textile mills were too powerful, and the MAP regulation was placed on the manufacturers and the textile mills were not controlled on this very important and necessary point.

MAP BREEDS TROUBLE AND CRIME

MAP is still in effect; while its intent was laudable, it has caused more disruption in normal business practices than any other regulation. It has provided the opportunity for widespread black market operations. It has been the direct cause of the rapid growth of com-

bines and integrated operations. It has cost manufacturers untold thousands of dollars in bookkeeping and accountant's costs in the complicated and intricate computations of historical record years to obtain the data necessary to establish their maximum average prices. It has made every manufacturer in America a technical violator of the law. I have personally talked to over a hundred reputable manufacturers and they have without exception confessed their inability to comply with this complicated and ever-changing regulation.

The MAP regulation has penalized every manufacturer who maintained his 1942 price on an article during the year 1943, by forcing a 10-percent roll-back on his 1942 price. This roll-back regulation was to catch the 1943 manufacturer who had advanced his price because of increased costs or greed, but it also penalized the conscientious manufacturers who had complied with the spirit and letter of price control. Although I have tried to get OPA to correct this injustice they have refused to make such hardship adjustment for reputable manufacturers.

MAP stifled production in price ranges where material is obtainable because cheaper material for lower priced ranges is unobtainable. In such a case the manufacturers cannot ship within the law his medium or higher priced items because he cannot balance his MAP with low-priced items. If the manufacturer ignores his MAP and ships his medium and higher priced ranges he accumulates a "surcharge" which lays him open for OPA prosecution and a heavy fine. The law-abiding manufacturer therefore curtails his production or refuses to ship ranges already produced. This adds to the scarcity condition in the legitimate market. The black-market operator ships merchandise regardless of MAP and thereby diverts the supply from legitimate manufacturers and retailers into black-market consumption. The product is invariably inferior in quality and high in price. On a recent trip to New York I shopped window after window and here are some of the results:

Corduroy trousers, priced at \$9.85, worth \$3.95 to \$5.

Rayon dress shirts, priced at \$3.95, worth \$1.95.

Woven madras shorts, priced at \$2.95, worth 65 to 75 cents.

Lisle undershirts, price at \$1.75, worth 65 to 75 cents.

This type of merchandising is possible only because legitimate well-established manufacturers are unable to flood the market with legitimate merchandise.

REAL INFLATION OR THEORETICAL PRICE FREEZE?

The Bureau of Labor Statistics figures on the cost of living is based on a theoretical computation of price increases on a legitimately produced list of items. It does not recognize the fact that the public cannot get the legitimate article in any quantity in the market. It does not take into consideration adulteration in quality, substitution of higher priced items, and the black-market operations. If you cannot find a Van Heusen, Manhattan, or Arrow white broadcloth shirt in the retailer's store, what good does a \$2.25 price freeze by OPA do the con-

All I can say in summing up is that the Italian people are facing, with typical courage, the gravest crisis in their history. They are in desperate need. And they look to the people of America for help. If you had seen, as I did, the sick, broken, hungry bodies of the Italian people, I feel sure that you would want to do something to help them. If you could have sensed the mental anguish and noticed the fear-consumed bodies of Italy's mothers listening to the hungry or sick cry of their children, you would open your hearts without hesitation. If you could have heard the penetrating screams and groans that rend the hospital air every day, you would give without stint to ease the terrible pain of the suffering.

The time for words is past. Action is needed now to supply the elementary needs of Italy. Nineteen hundred and forty-six will be a decisive year for AMRI, its friends and associates. We must multiply our efforts in unison and go forward to make it a banner year in this humanitarian cause to which we are devoted.

Dr. Muzzicato also wrote a letter to the editor of the New York Times under date of January 1, 1946, which letter is as follows:

Anne O'Hare McCormick in her December 26 column brings up a very interesting fact regarding Italy's prewar and present status which points up the complete failure of the Allies to live up to their promises. Mrs. McCormick writes: "During the Fascist regime Mussolini tried to revive the greatness of the Roman Empire. And for a gaudy interval he succeeded in keeping the spotlight on himself and making Italy a key factor in world politics. Because of defeat and its virtual loss of independence, Italy as a nation (today) swings no weight in the international scale."

This is an obviously true but sad commentary on the Allied policy toward Italy, since it becomes apparent that the Allies tolerated a totalitarian Italy in the international scene and now bar from the same scene a government suffering the labor pains of a democratic birth. The Italian people were promised a bright and glorious future by the Allies if they would throw off the yoke of fascism and German domination, and they had faith in the Allied word. Today they are enduring the pangs of untold misery, yet the Allies show a callous indifference toward the problems of Italy and pursue a dangerous game when they allow a nation whose spirit had always been on the side of the democracies to lose faith.

I have just returned from Italy, where for 2 months I surveyed conditions in that destitute nation for both American Medical Relief for Italy (AMRI) and for the Allied Commission to which I was attached as a member of the Public Health Subcommittee. I was privileged to talk with people from every walk of life from one end of Italy to the other, and all of them spoke of the complete let-down by the Allies with bitter resentment.

In a conference with Crown Prince Umberto, lieutenant general of the realm, the regent impressed me with the fact that mainly through material help can a strong democratic government emerge and bring forth a new Italy which will be respected in the civilized community of nations. And this point was well illustrated as I traveled up and down the country and noticed the apathy toward local provincial and national government, since the main preoccupation is to earn or obtain a crust of bread and keep hunger and sickness at a distance. By their failure to send the material aid promised to the Italian people, the Allies are weakening, albeit wittingly, the chances of democracy's rise in Italy.

I must say that I was very forcibly struck by that show of innate pride so characteristic of Italians despite their tragic situation.

Everywhere I went I was told that nothing was wanted from anybody except the chance to earn their livelihood and so put their country back on the road to complete rehabilitation. That opportunity must not be stymied but rather encouraged and aided by the willingness of the Allies to assure the economic function of the country.

Finally, I wish to say that when I was received in private audience by His Holiness Pope Pius XII, I was carried away by the conviction that moral and spiritual values in Italy have not faltered, due to the efforts of the Vatican to reassure the people and assuage their sufferings. Had these values suffered or been shaken as much as the social and economic structure, Italy might have sunk into the mire of chaos and disintegration and might have also lost its nationhood irretrievably.

CHARLES MUZZICATO, M. D.,
National Chairman,
American Medical Relief for Italy.

Briton Takes Gloomy View of Future Under Labor Party

EXTENSION OF REMARKS

OF

HON. BARTEL J. JONKMAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 19, 1946

Mr. JONKMAN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following editorial from the Flint (Mich.) Journal of February 13, 1946:

BRITON TAKES GLOOMY VIEW OF FUTURE UNDER LABOR PARTY

(By John Flint)

A boyhood chum of the Reverend John H. Balfour, Imlay City, recently wrote from Edinburgh, Scotland, concerning what he described as "deplorable conditions in the British Empire." John Flint, wondering if it could happen here, would like to quote a bit of what this Scotch banker and author had to say.

"I wish I could come to America, for at present this country is not worth living in. We are in a dreadful mess. Many have not had a happy day since Labor went into power."

"Already the Labor Government is more than halfway through the legislation to nationalize the Bank of England, and the financial structure of the country is threatened. Bills to nationalize the coal mines are to be presented, then iron and steel industry, railways, transport of all kinds, port authorities, civil aviation, communications, all to come under Government control."

"No wonder there is a hesitancy about a United States loan to Britain to put her back on her feet. It will all depend upon how the loan is to be used. It can be of great service, but if it is used for this detestable socialism in furthering the ends of Attlee, Bevin, Cripps & Co., in destroying British industry, then the loan might just as well stay in the United States."

"If you want to start a business, you must obtain a license, and if, after dealing with a dozen Government departments, you eventually get a license, you may be unable to get any stock because all materials are being exported, and you can't get wood, raw materials, or goods of any kind."

"The demand for houses in Ireland by British folks, sick of austerity living and socialism, is heavy, and I don't blame them, for this country won't be worth living in."

"As to living conditions, we are much worse off now than we were during the war. We

cannot get more than 2 pints of milk a week. People are freezing in their houses because there is no coal. The coal is there, but the miners get such high wages they prefer to work only a few days a week. If they worked all week, they would have to pay the difference in income tax."

"This coal business is, I am afraid, the result of Russian Communist propaganda and the hope that one day Britain's coal business will be ruined. Whatever happens, Britain and the United States must stick together, for Russia is the world's No. 1 enemy. Look how she is behaving in Persia, the Baltic, and Bulgaria. Once she has recovered, she will be in a position to defy the world."

"Winston Churchill is the most farseeing politician of our day, a believer in free enterprise, and represents the enlightened British man's point of view. What a wonderful difference it would have made if Churchill could have had a hand in all this peace-making business."

"Attlee is only milk and water. You have that Morrison over in Canada and many of the things he has been saying, as reported here, are quite untrue and must be taken with a grain of salt. For instance he said, 'It is not the policy of his Government to socialize or nationalize free enterprise, but only to control it if in the opinion of his Government it was not doing its job properly.' Who is to be judge of that? A few whippersnappers of civil servants in some top room of a government building."

"We are told we must accustom ourselves to austerity, that is doing without things and manufacture to export, but not for home consumption. We have had no new clothes, furniture, kitchenware, sheets, blankets, and so forth, for all being manufactured must be exported to get raw materials."

"One of the black clouds overshadowing this country at the present time is fear. Fear of what the Socialists will do next. They have their daggers drawn at anyone who has capital. Capitalist is anathema to the Socialist. That is why they are endeavoring by income and super tax to tax them out of existence."

"Anyone who makes a profit is, according to the Socialist's dictum, a rogue. That's why they thought they should get the American loan free of interest. They say all profits should be ploughed back into the business to improve and repair machinery, and all left over should be paid to the worker."

"They disapprove of companies increasing their rate of dividend, paying bonus shares, or giving the shareholders the benefit of increased business."

"They have played traitor to the servicemen. The jack-in-the-box Morrison with his vitriolic tongue is most unbeloved here. Bevin, the foreign secretary, knows more about trade unions than foreign policy. The other Bevin is responsible for the houses and health and has yet to come into contact with the doctors whom he thinks he will band together as civil servants. Then he wants to nationalize the hospitals. Truly, this country has gone insane."

"I suppose if I were an American I would be a Republican and not a Democrat, is that so?"

Seniority in Congress

EXTENSION OF REMARKS

OF

HON. A. S. J. CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 19, 1946

Mr. CARNAHAN. Mr. Speaker, under leave to extend my remarks in the

RECORD, I include the following editorial from the News-Democrat, Festus, Mo., for February 7, 1946:

SENIORITY IN CONGRESS

One of the local boys has written an article relative to seniority in one of the local industries, which is carried in this issue, and in connection with which we have little information, but the purpose of this editorial is to bring to the attention of the more than 20,000 readers of the News-Democrat the archaic seniority rules that have grown up in Congress, which stand between democracy and the people of this country like a stone wall, and the perpetration of which should not be allowed.

For a long time we have been given to understand that a freshman Congressman or United States Senator is required to sit on the back seat, so to speak, accept places on unimportant committees for a certain number of terms before they are even expected to raise their voices on matters of legislation, despite the fact they are sent there by their constituents to represent them. Now, and then a bold newcomer jumps over the traces and says what he thinks, for which he is severely punished and relegated further down the line.

The GI's are doing a lot of squawking about what they call the undemocratic Military and Naval Establishments we continue to maintain, and are demanding that something be done about it, and doubtless the majority of their complaints are justified. Right along that line, it's about time the American people demand that the age-old seniority rules in Congress be thrown out the window.

At the present time the State of Missouri has two freshmen in the United States Senate, and be not deceived, they occupy unimportant places there, and are compelled to bend to seniority rules. However, they do have the privilege of voting, even though they can't speak. This particular congressional district has a new man up there, and likewise he, or anyone else who might be there, is a back seater, hog-tied by the long-haired rules. This, despite the fact he was sent to Congress by a majority of the voters of this district to represent them.

In our opinion, the people of Jefferson County want to be represented, and seniority be damned. A newcomer on the town board is not required to keep his mouth shut when he thinks he should have it open, neither should a Senator nor Representative be required to do so. We believe in democracy from top to bottom, and now's a mighty good time to begin getting the top in order, the bottom usually takes care of itself.

School-Lunch Program

EXTENSION OF REMARKS

OF

HON. WILLIAM H. STEVENSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 19, 1946

Mr. STEVENSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following letter:

LA CROSSE PUBLIC SCHOOLS,
La Crosse, Wis., February 15, 1946.

HON. WILLIAM H. STEVENSON,
Congress of the United States,
House of Representatives,
Washington, D. C.

DEAR MR. STEVENSON: I have been advised that congressional action is pending on bills to continue Federal aid for school lunches. As you know the school children of La Crosse have received very real benefits from this school-lunch program. At the present time

over 3,000 children are making use of it here in the city. I know that the parents of these children are very much in favor of it and would appreciate your support of any measure which would assure its continuance.

With sincere personal regards.

Very truly yours,

R. W. BARDWELL,
Superintendent of Schools.

Our Stake in Indonesia

EXTENSION OF REMARKS

OF

HON. HUGH DE LACY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 1946

Mr. DE LACY. Mr. Speaker, under the privilege granted me, I desire to include with these remarks an article on Indonesian-Filipino-American relations by Trinidad A. Rojo, for many years a resident of my congressional district, an outstanding student at the University of Washington and a leader of the Cannery Workers Union, and now a student at Stanford University in California. I believe Mr. Rojo's studious article will be of great benefit to Members of Congress in facing the issues created in Indonesia. The article follows:

INDONESIAN-FILIPINO-AMERICAN RELATIONS AND RACE PROBLEMS

(By Trinidad A. Rojo)

The Philippines and the United States, and in fact, the whole world are vitally affected by what is happening and what is going to happen in the East Indies and southeast Asia.

In reading the news about the revolt in Indonesia it is necessary for us to keep in mind that the Indonesians do not have press agents in the United States and other parts of the world. On the other hand, the Dutch and the British are not only spending millions for propaganda in America and other countries, but also control the sources and channels of news transmission from their possessions to the outside world. News from Java and Malaya must pass through their censorship.

ECONOMIC STAKES

The East Indies is too vital to the Dutch for us to expect them to be impartial and objective about the uprising which is directed toward the overthrow of their empire. According to prewar statistics, the Netherlands Indies produced 5 percent of the world's sugar, 6 percent of its coffee, 18 percent of its tea, 18 percent of its tin, 22 percent of its agave and sisal fiber, 28 percent of its coconuts, 37 percent of its rubber, 75 percent of its kapok, 80 percent of its pepper, and 90 percent of its quinine.

Less than one half of 1 percent of the people were white and overwhelmingly Dutch. However, they controlled the business economy and government of the country, while the Indonesians, who compose 97 percent of the population, had the least economic and political power.

From the point of view of the rebels this is like the tail wagging the dog instead of the dog wagging its tail.

It is a modern version of feudalism, of which the natives are the serfs. The colony is exploited for the benefit of the mother country and its people rather than for the colony.

On the other side of the ledger the Dutch point out with pride that they have accomplished a great deal in the industrial and cultural progress of the East Indies and that

the Indonesians enjoy better health and have increased greatly.

But after three centuries of Dutch mastery the illiteracy of the islands before the war was still 90 percent. Of the annual budget only 50 percent was devoted to education, while 25 percent of the national income was spent in the Philippines.

RACIAL ATTITUDE

These are solid facts. There are other things in the Dutch-Indonesian relationships that are not solid at all—but are like sandpaper rubbed against native sensibilities.

In his book, *I Saw the Fall of the Philippines*, Gen. CARLOS ROMULO relates an incident which is striking to us, but which is quite typical of the Dutch attitude toward the natives.

He met a high class Javanese woman, who had been educated in one of the best universities of Europe. He invited her to dine with him at the Hotel des Indes. She refused on the ground that Indonesians were not welcome there, but the general prevailed upon her, hoping the hotel might make an exception. When they were seated and ready to dine in the restaurant of the hotel, true to form the manager told the lady to leave.

General ROMULO attended secret meetings of the Indonesians, who used in their rallies the pictures of Dr. Jose Rizal, the Filipino hero, the greatest man the Malayan race has ever produced, and that of the late President Quezon.

The reaction of the subject peoples of Asia was summarized by such remarks made to the general: "You Filipinos are lucky. You have your militant President Quezon and America."

"To us no change could be worse. Anybody but the Dutch and the British would be better."

Because of the underground rumblings heard, the general predicted that if war came, the peoples of southeast Asia and the Dutch East Indies would put up only a token of resistance and would welcome the Japanese. The Dutch, the French and British colonial officials ridiculed him as a charlatan journalist, who stayed a few days in one place and then thought he knew much more than the old-timers did.

It was not long before the colonial officials had to flee hurriedly to save their skins. For the accuracy of his newspaper reports on the attitude of the Asiatics towards their rulers, General ROMULO won the Pulitzer prize.

BRITISH NIGHTMARE

We cannot rely much on the British for unbiased, accurate information on Indonesia. It is true that the East Indies do not belong to England, but the British view with alarm any independence movement in any part of southeast Asia, as if it were a wild forest fire which might spread to Malaya, Hongkong, and India, and endanger here investments and trade routes scattered all around.

In 1934 Winston Churchill, in an article published in Collier's, opposed vigorously the granting of independence to the Philippines, for it would be a bombshell thrown to the white man's burden in Asia. He believed the Americans were committing a big blunder. But the United States, which was regarded as the bungling amateur among colonial powers, turned out to have the right policy.

Borneo and New Guinea are partly Dutch and partly British. Malaya, which is peopled with Malays, like the Javanese, and which produces one-half of the world's rubber and much of its tin and spices, is only across a very narrow strait from Sumatra, one of the principal islands of the East Indies.

The granting of independence or a commonwealth status to Indonesia or French Indo-China would make England by contrast an unredeemed villain in India.

from Africa, Italy, France, Belgium, and all of the islands of the southern Pacific. They, even, have reclaimed the fatherland of Germany from the German militarists and the home islands of Japan from the Nippon worshippers of Mars. They, with the other members of the United Nations, are in complete control of our defeated enemies.

A patriotic Congress, putting aside for the duration all—or practically all—thoughts of personal or political advantage, turned over to our military leaders the complete control of our national affairs. That these affairs, as far as accomplishing the main objective of defeating our enemies was concerned, were well-handled, is obvious, but it is equally as true that the military mind, which is essentially destructive, is not fitted for peacetime economic or political control of the Nation. This is aptly illustrated by the factual stories of the wastage of billions of dollars worth of equipment all over the world. It is high time that we, in America, recognize that the military mind functions in much the same manner regardless of whether that mind is Japanese, German, Russian, British, French, Chinese, or American, and, recognizing this fact, make sure that Congress regains its functions of government.

About 18 months ago the writer was eating breakfast in the rather swanky dining room of the Imperial Hotel at New Delhi, India, when two other colonels were ushered to the table. "I am glad to know that we have officers here as low in rank as colonel," he remarked to the newcomers, indicating with his glance several general officers in the room. "Oh, this is nothing," one of the officers replied; "I counted 11 generals on the floor at one time at our last regular Saturday night dancing party here at the hotel."

It was very common talk among these colonels and generals, most of whom were Regular Army officers, that "if we can keep the Army up to 3,000,000 men, most of us can retain our temporary ranks." This remark usually called for the rejoinder that, "Well, if we can't hold the Regular Army up to that figure, we can still hold our temporary ranks if we can put over universal military training."

Congress so far has successfully resisted the attempt to rush through legislation providing for universal military training, but the Army and Navy, like good tacticians, stopped in their frontal attack, have obtained their objective by persuading Congress not to declare an end to the national emergency. So long as Congress can be fooled into delaying the declaration, the United States military party has little to fear.

Hundreds of thousands of American boys are "sweating it out" on military, naval, and marine stations all over the world, not because they are needed there or are accomplishing any good but because Brigadier General Blank, who holds the permanent rank of first lieutenant, captain, or major, wants to retain his stars. The writer received letters from two service men this week, one a marine in the South Pacific and the other a soldier in Manila and both complained of being held in the service. One wrote: "If the war was still on, or if we were really doing any good here, I would not complain, but we are just being held here while our officers try to think of something for us to do. Why doesn't Congress do something? If they would end the emergency, we would at least know that we would be home in another 6 months. The way it looks from here, we will be here at least another year, and many of us were in hopes we could be back in school by next fall."

A few top-flight football players and the sons of United States Senators and general officers have been released. General MacNider had the effrontery to defend the release of his son by special order "so that he could continue his education." Do not the Members of Congress realize that there are hun-

dreds of thousands of boys just as worthy as the son of General MacNider? Many of these boys are beginning to wonder if they fought for democracy or for special privilege, and only President Truman or Congress are in position to prove to them that the United States still stands for the great principle of "all men are born and created equal." From the standpoint of simple justice, it is more necessary to return to their studies the sons of parents without wealth and political influence than it is to release the sons of generals, Senators, and other persons of wealth and position.

A recent news dispatch says that the morale of many of the 50,000 marines in north China is cracking as the men are becoming convinced that they are mere pawns in a great international game of power politics. The same thing is true of thousands of young men in the Aleutians, the Philippines, Guam, Wake, Okinawa, India, France, and innumerable islands and outlying stations all over the world.

Surely these boys should be back in the United States and ready to resume their studies by the opening of the 1946 fall term, and they will be back if North Dakota's four Representatives in Congress—Senators Langer and Young and Representatives Lemke and Robertson—or any other group of Congressmen combine their efforts to see that this is accomplished. A declaration by Congress that the national emergency is over, passed immediately after the reconvening of Congress this month, would assure every serviceman inducted for the duration plus 6 months that he would be returned to civilian life by next July or August. If this is done, all who so wish can resume their studies next September.

If it is necessary to continue the drafting of men after next July or August—and we are not convinced that such action will be necessary—Congress still could secure the return of the men who wish to continue their educations by amending the present law limiting the period of service to 12 months or, at the most, a year and one-half.

I quote further excerpts from the letter of Col. Percy M. Hansen. These excerpts should convince Congress that the time for action has arrived. The GI boys are no longer interested in fake promises; they want action.

Will you, as a personal favor, read the enclosed editorial comment and then drop me a note telling me what you can do to accomplish one or more of the following:

(a) Secure a declaration by Congress that the national emergency is ended so that these hundreds of thousands of men in this country and overseas in the armed services will know that they have a maximum of six more months to serve;

(b) Secure the passage of legislation releasing from the armed services all men who were inducted before VJ-day upon their completion of 1 year, or, at the most, 1½ year of service;

(c) Secure the passage of legislation returning to the United States and releasing from service all men who were overseas on VJ-day.

Seriously, Bill, this is only one of the things that I have in mind in connection with our military set-up. Apparently none of our commentators nor legislators dare to hit at the very heart of the matter—the fact that our entire military and naval set-up must be changed from the so-called caste system, one of lords and serfs, to something more in keeping with a democratic nation—and I have spent considerable time on facts and figures in this connection.

I could quote from several letters received only this week, but knowing how busy you are, I will not bother you with them at this time. I want to say, however, that I am more serious about this than I was the famous (or was it the infamous?) capital re-

moval campaign, and I believe that my service in two wars and in all of the grades from buck private to colonel, has given me an insight into the mind of the former serviceman and his family that would justify my present conclusions.

Will you take time out to give me your opinions on this matter, and an idea of what, if anything, you are willing to do in this matter?

PERCY M. HANSEN.

I am confident that this editorial and the excerpts of Colonel Hansen's letter express the sentiments and the will of the vast majority of the American people and 100 percent of the will of the fathers, mothers and wives of the servicemen.

There are some fifty bills and resolutions pending in the House and Senate, all having for their object the prompt demobilization of our armed forces, in accordance with the pledges made by the Government when the men were inducted into the service.

The time has come for these Members to get together and agree on one or two of these resolutions or bills. It makes no difference to the GI boys which resolution or bill is taken. All they are interested in is that Congress see to it that the Government keeps its pledge and understanding with them when it inducted them into the armed forces for the duration and 6 months.

The Case Bill

EXTENSION OF REMARKS OF

HON. DUDLEY G. ROE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 19, 1946

Mr. ROE of Maryland. Mr. Speaker, under leave to extend my remarks in the RECORD, I include therein an editorial from the Baltimore Sun in reference to the Case bill.

The editorial follows:

HAVING PASSED THE HOUSE, THE CASE BILL FACES THE SENATE

It is in line with the precedents that the Case labor bill, having passed the House by a large majority, enters a period of ominous silence on the Senate side. Of course the bill can seem extreme only by comparison with the policies of administrations whose Attorney General once described them as alliances of clever political leaders with the labor unions. The bill provides for no-strike cooling-off periods during mediation of industrial disputes. Mediation failing, it provides for voluntary arbitration. That failing, it provides the unimpeded right to strike. But it does police this right by attempting to curb violence, boycotts, and wildcat and jurisdictional strikes.

Moderate as the Case bill is, however, there is some doubt whether it really touches the vital issues in the labor problem. It is not at all clear, either, that in seeking commendable ends its backers have always selected wise or prudent means. Nor, as already suggested, does the fact that the House has acted mean that anything like the Case bill is certain to go into the statute books. The fact is that the Senate is less enthusiastic than is the House about the bill, and there is no sign whatever of enthusiasm from the White House.

These signs on the road to enactment are threatening. The evidence is in the fact that labor bills very like the Case bill have passed the House on two previous occasions and each time have failed to come to a vote in a Senate oversensitive to White House pressure. In June of 1940 the House voted by 258 to 129 to amend the Wagner Act in an effort to reach many of the purposes aimed at in the Case bill. In December of 1941 the House passed the Smith bill, which at many points was identical with the Case bill. The vote then was 252 to 136.

The fact is that the House of Representatives—that body of the Federal Legislature most representative of the whole people, dependent at the most frequent intervals on their judgment at the polls, and organized on a regional basis giving maximum assurance against domination by any single pressure group—this body has steadily reflected the undoubted national disquiet at the post-1933 labor policies. But the House view on this matter has been as steadily thwarted in the Senate and in the Executive offices, where it is sometimes easier for highly organized pressure groups to bring their pressures to bear. It remains to be seen whether in this instance again the Executive offices and the Senate will ignore what the popular branch clearly shows to be the popular anxiety on labor policy.

School-Lunch Program

EXTENSION OF REMARKS

OF

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 19, 1946

Mr. PRICE of Illinois. Mr. Speaker, under leave to extend my remarks in the RECORD, I include herewith a letter in support of H. R. 3370 from the Honorable Vernon L. Nickell, superintendent of public instruction, State of Illinois:

STATE OF ILLINOIS,
SUPERINTENDENT OF PUBLIC INSTRUCTION,
Springfield, February 13, 1946.

Hon. MELVIN PRICE,
United States Representative, House
Office Building, Washington, D. C.

DEAR REPRESENTATIVE PRICE: H. R. 3370 is up for consideration. As you know, this bill deals with the appropriation to subsidize the school-lunch program. The bill, in its present form, gives the administration to the States. This is as it should be.

From the experience we have had in Illinois the past 3 years in connection with the school-lunch program, I am convinced that it is a very worth-while and worthy program. It makes a lunch available through the schools to the thousands of children that otherwise would be forced to go without a balanced and nutritious diet. It seems to me that we learned from the war a lesson that is applicable here. We need to look forward toward developing strong healthy bodies in our youth. A good diet is one of the necessary essentials if we are to reach that objective. In this light the program is one which embodies national security and contributes much toward national defense.

As you know, our State assists in subsidizing the program. If this assistance—both Federal and State—were to be denied the schools, it would be a serious error, I believe. It would deny to our children—our greatest asset—an inherent right to develop the strong bodies which they must have if they are to be entitled to contribute their full and just share as American citizens.

May I urge your earnest, serious, and favorable consideration and support of this bill in its present form on behalf of our undernourished youth?

Sincerely,

VERNON L. NICKELL.

The Need for a Sound Labor Law

EXTENSION OF REMARKS

OF

HON. BROOKS HAYS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1946

Mr. HAYS. Mr. Speaker, I regret that the parliamentary situation did not permit my giving a complete explanation of the amendment which I offered to the Adams substitute to the Case bill at the time this important legislation was considered by the House.

My amendment embraced the essential features of the amendment to S. 1661 offered by Senators BALL and HATCH, having eliminated the compulsory arbitration features which were included in the original Ball-Burton-Hatch bill.

My amendment adopted the language of H. R. 5367, which I introduced on February 4 and which contains only one addition to the revised Ball-Hatch bill. The addition appears in section 11 and is as follows:

(c) Any employee who fails to perform the duties imposed on him by section 3 (d) of this act (which subsection relates to maintenance of existing conditions pending exhaustion of settlement efforts) shall not be entitled to reinstatement or any back pay from such employer under section 10 of the National Labor Relations Act.

In order to secure consideration by the House of the mediation and arbitration features of the Ball-Hatch bill, I proposed in my amendment to the Adams substitute only those features of the bill which differed in substance from Mr. Adams' plan. My amendment which appears in the RECORD for February 6 on pages 1047 and 1048 eliminated administrative provisions, but if the parliamentary situation had permitted I would have urged consideration of the full plan as embraced in H. R. 5367.

I had previously pointed out to the House that I sought consideration for this plan because it represented sincere efforts by an important group of public-spirited citizens to find a solution to the strike problem through perfecting mediation and arbitration procedure.

I have reference to the Committee to Promote Industrial Peace, whose report was sponsored by Senators BALL and HATCH, and since the recommendations of that committee were not considered by the House Labor Committee I felt that the House should be given an opportunity to pass upon the Ball-Hatch plan as an alternative to the Case bill. The Committee to Promote Industrial Peace was constituted strictly with the public interest in mind, and its members are not involved in labor controversies. The personnel is as follows:

George W. Alger, lawyer, 55 Liberty Street, New York, N. Y.

Harold Evans, lawyer, 1000 Provident Trust Building, Philadelphia, Pa.

Samuel S. Fels, president, Fels & Co., Seventy-third Street and Woodland Avenue, Philadelphia, Pa.

Lawrence Hunt, lawyer, 60 Broadway, New York, N. Y.

William Draper Lewis, director, the American Law Institute, 3400 Chestnut Street, Philadelphia, Pa.; summer address, Northeast Harbor, Maine.

Leon C. Marshall, chairman of the faculty of American University, Washington, D. C.

Charles B. Rugg, lawyer, 50 Federal Street, Boston, Mass.

George B. Sjoselius, deputy Attorney General of State of Minnesota; has charge of legal questions arising out of administration of State labor relations act; State Capitol, St. Paul, Minn.

Kirk Smith, lawyer, 15 Westminster Street, Providence, R. I.

Arthur D. Whiteside, president, Dun & Bradstreet, 290 Broadway, New York.

Donald R. Richberg, chairman, 815 Fifteenth Street NW., Washington, D. C.; coauthor of the Railway Labor Act, the Norris-LaGuardia Act, and the National Industrial Recovery Act. He served as chairman of the committee and as draftsman, without compensation, as did all other committee members.

The statement of the purposes of this bill, which I included in my comments to the House on February 1, page 809, was prepared by the above-named members of the Committee to Promote Industrial Peace and their names were inadvertently omitted when the statement was submitted to the House. The committee devoted many months to the study of arbitration procedure and their report reflects painstaking consideration of the problem.

Whether the Case bill becomes law or not Congress will be required to give further consideration to methods for settling industrial disputes. A comprehensive revision of basic labor laws based upon our experience with the Clayton, Norris-LaGuardia, and Wagner Acts will require further study but a beginning has been made. I voted for the Case bill in spite of the criticisms which were offered in debate. It is generally agreed that the bill was improved by certain amendments, and in view of the urgent necessity for some legislation on the subject I think that the House pursued the right course in adopting the bill in its modified form. Our action should have the effect of impressing labor union leadership with the fact that we regard this as a real emergency, and that Congress intends to maintain a stern position regarding strikes and union practices which are against the public interest. At the same time I am anxious that we avoid unworkable methods and certainly we must not deprive labor of fundamental rights.

I have just seen an editorial in the Buffalo Evening News for February 13 quoting in substance my observations on the Case bill and commenting, as follows:

Mr. Hays correctly appraises the House action as a reflection of present national sentiment.

The wiser labor leaders must know, however, that the one-sidedness of existing labor

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued February 21, 1946, for actions of Wednesday, February 20, 1946)

(For staff of the Department only)

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HIGHLIGHTS: Debated school-lunch bill. House Judiciary Committee reported bill to continue authority for petitions under Farm Bankruptcy Act. President approved following bills: changes in tobacco quotas under AAA Act, Appropriation Rescission Act, and Maximum Employment Act.

HOUSE

1. SCHOOL LUNCH BILL. Continued debate on this bill, H. R. 3370 (pp. 1516-39).

Agreed to the following amendments:

By Rep. Powell, N. Y., as modified by an amendment by Rep. Folger, N. C., to prohibit payment of Federal funds for providing food in any State or school if it discriminates because of race, creed, color, or national origin (pp. 1525-30). Rejected a substitute amendment by Rep. Bander, Ohio, prohibiting such payments in States which maintain separate schools, or segregate pupils, on account of color (pp. 1527-30).

By Rep. Flannagan, Va., to delete reference to WFA and to extend until June 30, 1948, the provision that "State educational agency" may mean agencies designated by the Governors to carry out functions herein required of such an agency (p. 1531).

By Rep. Luce, Conn., to provide that "child-care centers" shall include non-profit foster homes and orphanages (pp. 1533-7).

Rejected the following amendments:

By Rep. Buck, N. Y., to limit State contributions for matching purposes solely to actual purchases of food (pp. 1516-20).

By Rep. Abernethy, Miss., to provide that all authority under the bill shall expire June 30, 1951; by a 124-127 vote (pp. 1520-3).

Debated an amendment by Rep. Andresen, Minn., to strike out the \$15,000,000 authorization for the Office of Education (pp. 1537-9).

Received a Mass. Women's Club Federation resolution favoring the bill (p. 1540).

2. SURPLUS PROPERTY. Rep. Rich, Pa., stated that "all money from sale of surplus property should be immediately placed in the Treasury...to reduce our debt" (p. 1516).

3. FARM BANKRUPTCY. The Judiciary Committee reported without amendment H. R. 5504, to extend from March 4, 1944, to June 4, 1947, the time during which farmers may file bankruptcy petitions under Sec. 75 of the Bankruptcy Act (H.Rept. 1588) (p. 1540).
4. ST. LAWRENCE WATERWAY. Received a N. J. Legislature Memorial opposing this project (p. 1540).
5. RESEARCH. Received a petition from various Mich. citizens favoring the anti-vivisection bill (p. 1540).
6. PRICE CONTROL. Received a petition from various San Francisco citizens favoring OPA continuation (p. 1540).
7. HOUSING. Chairman Sabath of the Rules Committee announced that the Committee has granted and will file today a rule for consideration of the Patman housing bill (price control and subsidies), and that the bill will be taken up Friday (p. 1539).

SENATE

NOT IN SESSION. Next meeting Thurs., Feb. 21.

RESOLUTION SUBMITTED

8. HOUSING. H. Res. 528, by Rep. Barry, N. Y., authorizing a study of prefabricated and other types of housing. To Rules Committee. (p. 1540.)

ITEMS IN APPENDIX

9. SURPLUS PROPERTY. Extension of remarks of Rep. Mundt, S. Dak., urging a workable method for the disposition of surplus property to schools and colleges and including a constituent's letter of complaint (p. A934).
10. ECONOMY. Rep. Gillie, Ind., inserted a Allen County Republican Club resolution proposing the establishment of a Senate committee to conduct a complete economic survey of the U.S. (pp. A934-5)
11. HOUSING. Rep. Curtis, Nebr., inserted a Nebr. lumber dealer's letter criticizing Government control over lumber as the main hindrance to production (p. A935).
Rep. Gwynne, Iowa, inserted a Chapman Lumber Company's (Iowa) advertisement explaining causes of shortage in building materials (p. A936).
12. PRICE CONTROL. Extension of remarks of Rep. Smith, Wis., criticizing OPA regulations on automobiles and including a Chicago Daily Tribune editorial on the subject (pp. A936-7).
13. SUBSIDIES. Rep. Plumley, Vt., inserted an Essex Junction (Vt.) Suburban List editorial calling for the removal of all food subsidies, those on milk in particular (p. A941).
14. SCHOOL LUNCH PROGRAM. Extension of remarks of Rep. Plumley, Vt., favoring the school-lunch bill, H.R. 3370, and including Chairman Flannagan's statement explaining the bill (p. A941).



United States
of America

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Office of Budget and Finance

Congressional Record

PROCEEDINGS AND DEBATES OF THE 79th CONGRESS, SECOND SESSION

Vol. 92

WASHINGTON, WEDNESDAY, FEBRUARY 20, 1946

No. 29

Senate

The Senate was not in session today. Its next meeting will be held on Thursday, February 21, 1946, at 12 o'clock meridian.

House of Representatives

WEDNESDAY, FEBRUARY 20, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

To our bountiful Father in heaven and earth we offer our tributes of praise and gratitude. Thou givest power to the faint, and to them who have no might Thou increaseth strength. Blessed are they whose strength is in Thee, who passing through the valley of Baca make it a well. We bless Thee that, though the spirit be weak, we may still rejoice in the saviorhood of our Master, which is inclusive enough for all. Beyond the reach of shame and the restraints of prejudice Thou wilt give to our earthly life an everlasting meaning. O the parched and dust-choked places of human experience! In these days of change, when trouble is severe, where sorrow has hung its dark pall, O Son of God, say to them that are of a fearful heart, be strong, fear not. Brighten their long-persistent hope, and in the vale of this world, where strife and sin abound, let righteousness and peace meet together. Through Christ. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

SHIP SALES BILL

Mr. BLAND. Mr. Speaker, I call up the conference report on the bill H. R. 3603, an act to provide for the sale of surplus war-built vessels, and for other purposes, and ask for its immediate consideration.

Mr. TABER. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. BLAND. If the gentleman is going to do that, I withdraw the request.

Mr. TABER. Mr. Speaker, I withdraw the point of order.

SPECIAL ORDER GRANTED

Mr. SNYDER. Mr. Speaker, I ask unanimous consent that the special order

granted me to address the House for 1 hour today be transferred to Tuesday, March 19.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

EXTENSION OF REMARKS

Mr. ELLIS asked and was given permission to extend his remarks in the Appendix and include an editorial.

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks and include an article by Mrs. Evalyn Walsh McLean which appeared in today's Times-Herald.

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and include therein an article which may be just a little bit more than the limit this time, but I would like to have it printed notwithstanding.

The SPEAKER. Notwithstanding the excess, without objection, the extension may be made.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. SPRINGER asked and was given permission to extend his own remarks in the Record and include an article prepared by Mr. J. H. Lieb on the McLean Gardens.

PERMISSION TO ADDRESS THE HOUSE

Mr. BUCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

SHORTENED APPLICATIONS FOR GI LOANS

Mr. BUCK. Mr. Speaker, last week I displayed to the House the 17 feet of forms which were then involved in a vet-

eran's application for a stock-in-trade loan under the GI bill of rights. At that time I stated my confidence that General Bradley would take prompt corrective action. My appraisal of General Bradley and my predictions were more than fair.

It is with gratification and with increased admiration for the Administrator of the Veterans' Administration that I now show you the two simple forms shortly to be put into effect for stock-in-trade loans. Seventeen feet have been reduced to 3 feet, and of these 3 feet the veteran himself must fill out but 2 inches. The balance will be completed by the lending institution and the appraiser.

I salute General Bradley and I wish him Godspeed.

PERMISSION TO ADDRESS THE HOUSE

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

AUXILIARY NAVAL ACADEMY AT GREAT LAKES, ILL.

Mr. CHURCH. Mr. Speaker, yesterday I introduced a bill to provide for the establishment of an additional United States Naval Academy in the vicinity of the Great Lakes Naval Training Center, Great Lakes, Ill.

The United States Naval Academy at Annapolis, even though greatly expanded during the war, cannot possibly furnish the necessary officer personnel for the proposed postwar Navy. An additional naval academy should be established, and the vicinity of Great Lakes is the logical location.

The present plans for the postwar Navy call for 500,000 enlisted men and 58,000 officers—not including the Ma-

rine Corps—and expanded facilities at Annapolis have a capacity of only 3,423. During the 3-year period July 1, 1942, to June 30, 1945, the Navy trained a total of 2,273,812 recruits, of which 806,457 were trained at Great Lakes, or 35.46 percent. It is axiomatic that a strong Navy requires the constant inflow of young men, highly trained in the use of complex equipment and in leadership.

The Middle West has always furnished a larger percentage of Navy personnel than any other section of the country, as well as the best material. But aside from such considerations, the last war has clearly demonstrated the vulnerability of coastlines and the importance of locating important defense plants and military installations inland. The facilities for the training of naval officers are certainly the type of defense installation which should be located in the interior of the country, where geography itself provides protection from enemy bombers.

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

HOTEL CHAMBERLAIN

Mr. TABER. Mr. Speaker, for several years now the Navy has been operating the de luxe Hotel Chamberlain at Old Point Comfort, Va., down near Norfolk. The Navy has now declared it surplus and is ready to abandon it. The Army is preparing to take it over without bringing the matter up here and taking it up with Congress, without getting any specific appropriation or having it determined, and is going to operate it as a de luxe hotel for Army officers. Is it not about time that some of those organizations begin to give a little heed to the needs of the situation here in this country and the way money should be spent?

The SPEAKER. The time of the gentleman from New York has expired.

EXTENSION OF REMARKS

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD in two instances, in one to include a short article on socialized medicine, and in the other to include a resolution adopted by the Allen County Republican Club of Ft. Wayne, Ind.

PERMISSION TO ADDRESS THE HOUSE

Mr. BLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

THE HOTEL CHAMBERLAIN

Mr. BLAND. Mr. Speaker, with reference to the remarks just made by the gentleman from New York [Mr. TABER] relative to the Chamberlain Hotel which is in my district, I understand there is a movement on foot that it be turned over from the Navy to the Army but I do not understand that it is contemplated operating it as a de luxe hotel or any other sort of hotel. My understanding is that the consideration is that it will be oper-

ated for officers in connection with the establishment of a needed Army headquarters at Fort Monroe.

I merely wanted to correct the impression that might probably be obtained from the remarks made by the gentleman from New York.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

SALE OF SURPLUS PROPERTY

Mr. RICH. Mr. Speaker, there is a great deal of talk about the Government taking \$3,000,000,000 in cash and paying of \$3,000,000,000 worth of bonds. I brought to the attention of the House the other day that if we would pay off fifteen or twenty billion dollars worth of bonds it would result in a saving of over a million dollars a day in interest to the Government.

Mr. Speaker, I am interested also in learning where the money is going that we get from the sale of surplus property. If you will look at the statement of the Treasury Department as of the 15th of February you will find there has been returned to the Treasury of the United States only \$76,652,675.95 since July 1 last. We hear a great deal about the amount of money received from the sale of surplus property, but if it is being sold I would like to know what we are getting for it and I would like to know where the money is going. All money from sale of surplus property should be immediately placed in the Treasury of the United States to reduce our debt.

I think the quicker this money is turned back into the Treasury of the United States, thereby stopping interest payments, the better it will be for the taxpayers of the country. It will be best for everybody.

Mr. Speaker, we hear of the great amount of surplus property being sold; well, if we are to judge by the money placed in the Treasury as to the amount of surplus property being sold then I believe the results are anything but encouraging, and anything but a good business proposition for our Government.

It looks to me as if we were not disposing of surplus property in a sound, sensible, business way.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include excerpts from a letter he received.

Mr. PLUMLEY asked and was given permission to extend his remarks in the RECORD in two instances and include an editorial.

Mr. TOWE asked and was given permission to extend his remarks in the Appendix of the RECORD and include a resolution of the New Jersey Legislature.

Mr. HUBER asked and was given permission to extend his remarks in the

RECORD and include an address by the Attorney General of the United States.

MAINTENANCE, OPERATION, AND EXPANSION OF SCHOOL-LUNCH PROGRAMS

Mr. FLANNAGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 3370), to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

CALL OF THE HOUSE

Mr. TARVER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 26]

Allen, Ill.	Ervin	Murray, Tenn.
Allen, La.	Fallon	Norton
Andrews, Ala.	Fisher	Patrick
Andrews, N. Y.	Gardner	Patterson
Baldwin, N. Y.	Gary	Peterson, Fla.
Bell	Gavin	Peterson, Ga.
Blackney	Gearhart	Philbin
Bolton	Gibson	Phillips
Bonner	Grant, Ala.	Price, Fla.
Bryson	Harless, Ariz.	Randolph
Buckley	Harris	Rankin
Butler	Hart	Reed, N. Y.
Byrne, N. Y.	Hays	Richards
Cannon, Fla.	Healy	Rivers
Case, N. J.	Hendricks	Robertson, Va.
Case, S. Dak.	Hobbs	Robinson, Utah
Chapman	Hook	Schwabe, Okla.
Chelf	Horan	Shafer
Chiferfield	Judd	Short
Clark	Keogh	Slakes
Colmer	Kerr	Smith, Va.
Courtney	LaFollette	Snyder
Cox	Landis	Sumner, Ill.
Curley	Lane	Summers, Tex.
Dawson	Larcade	Taylor
Dingell	McGregor	Thom
Domengeaux	Maloney	Weaver
Doughton, N. C.	Manasco	White
Douglas, Ill.	Morrison	Winter
Earthman	Murphy	Wood

The SPEAKER. Three hundred and thirty-nine Members are present, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MAINTENANCE, OPERATION, AND EXPANSION OF SCHOOL-LUNCH PROGRAMS

The SPEAKER. The question is on the motion that the House resolve itself into the Committee of the Whole House on the State of the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 3370), a bill providing for a permanent school-lunch program participated in by the Federal Government, with Mr. JACKSON in the chair.

The Clerk read the title of the bill.

Mr. BUCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BUCK: Page 5, line 22, strike out all after the period down through the period on page 6, line 8, and insert in lieu thereof the following: "For

the purpose of determining whether the matching requirements of this section and section 108 (d), respectively, have been met, only funds expended for the purchase of agricultural commodities and other foods as certified, respectively, by the State educational agency and, in the case of schools receiving funds pursuant to section 108 (d), by such schools, may be regarded as funds from sources within the State expended in connection with the school-lunch program."

Mr. BUCK. Mr. Chairman, my amendment is a perfecting amendment which I hope the Committee will accept.

It merely limits State contributions for matching purposes solely to actual purchases of food.

One of the weaknesses of the bill, as pointed out in my remarks of yesterday, is that the States are permitted in determining their matching contributions to include donated services, supplies, facilities, and equipment. Anyone familiar with accounting realizes the difficulty and complexity of computing such contributions with any degree of accuracy. From a practical standpoint, school lunchrooms and school districts simply do not have the staffs and the accountants to make up these computations. Endless confusion and disagreement can be the only results and there is every advantage to the schools and to the States to pad these intangible contributions to the maximum extent possible. Actual expenditures for food, however, are beyond the realm of intangibility and can be audited by anyone. Approval of this amendment would eliminate 99 percent of the paper work involved in the administration of this law with corresponding savings in administrative personnel both in and out of the schools. The amendment is in accord with the basic purpose of the bill which is, after all, to aid in the supplying of food for school lunches.

If this amendment is adopted, which I trust it will be, I shall offer a corresponding amendment to section 105 on page 7.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. If the gentleman's amendment is adopted, it means they will be able to feed more school children because the States will have to contribute more, therefore they will get more food with the money that they realize?

Mr. BUCK. The amendment will result in more food for the children, yes.

Mr. FLANNAGAN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York [Mr. BUCK].

Mr. Chairman, it is well known that the gentleman from New York is bitterly opposed to the school-lunch program and I am afraid that this amendment was not offered in the hope of simplifying the bookkeeping back in the States but for the purpose of defeating the school-lunch program. This amendment is so sweeping that it prohibits the States from getting credit for funds raised by parent-teachers associations, the Kiwanis Clubs, and other civic organizations. You and I know that in most communities these civic organizations have contributed largely in connection with the raising of funds to match the Federal appropriation.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Tennessee.

Mr. JENNINGS. Of course, I do not question the good faith of the gentleman who offers the amendment, but this thought occurs to me, and I think I am in a very large measure thoroughly familiar with the manner in which these school-lunch programs are carried out. The home-economic branches of the high schools and grammar schools in the agricultural sections can thousands of cans of vegetables every year which go into the food situation of the schools. It would be a simple matter to keep a record of these thousands of dollars' worth of the finest and most nutritious food prepared by the home economics departments in the high schools and grammar schools of the rural sections of my State and I take it of yours.

Mr. FLANNAGAN. I thank the gentleman from Tennessee. He made a fair statement. In addition to that the States could not be reimbursed for processing, distributing, transporting, or storing or handling any of these foods. This amendment goes to the heart of section 1. It goes to the heart of the school-lunch program that we have had in this country for the past 10 years. Bringing in the question of bookkeeping, I am afraid, is for the purpose of trying to draw a red herring across the trail. There is no trouble in keeping the books. No one has complained about bookkeeping back in the States. The Federal authorities have not had any trouble checking on the records back in the States, and giving credit for contributions made by civic organizations is a simple matter. So when he bases his argument on the fact that he is trying to simplify the bookkeeping, his argument falls flat.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from California.

Mr. VOORHIS of California. I would like to ask the chairman if I am not correct in assuming that the effect of this amendment would be to render it that much more difficult for some of the poorer school districts to participate in the program, and whether the purpose of our bill is not to try to encourage the program in those very places that would be adversely affected by this amendment?

Mr. FLANNAGAN. It would make it practically impossible to have the program carried back into the poorer districts. I hope it is the pleasure of the committee to vote the amendment down.

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Mr. Chairman, I have been trying for some time to get a copy of the hearings on this bill. I understand the edition was limited in number, but I was finally successful in obtaining one. I wanted a copy for the purpose of determining who the people

are that testified on this bill. It is very important to know this. About 20 people appeared before the committee, and they all testified in favor of this bill.

My contention is that this bill is based not on scientific evidence. I want to read just a few of the names of persons who testified on this measure.

Amery, Miss Elizabeth, State supervisor of home economics in Maryland, Baltimore, Md.

Anderson, A. W., Chief, Division of Fisheries, Department of the Interior, who is a Government employee. Of course, all Government employees have to testify in favor of whatever the administration happens to want. There is no question about that.

Bowie, Mrs. Gertrude, supervisor of school cafeterias in Montgomery County, Rockville, Md.

Chatfield, George H., member, board of education, city of New York.

Cooper, William T., director of the school-lunch program; and so forth.

Two or three medical men testified. All of them are in the employ of the Federal Government. The leading man here is perhaps Dr. Parran. You all know Dr. Parran's views on matters of this kind. Dr. Parran is outspokenly in favor of socializing medicine. Whoever is in favor of socializing medicine is in favor of socializing everything, that is the way I look at it. I might be mistaken, but that is the way I feel.

In his testimony here, which is very brief, Dr. Parran has not offered, in my opinion, one particle of evidence to indicate that he is warranted in taking the position he has.

He says it has been discovered that a great many children are undernourished. Certainly a great many children are undernourished. We know that. Will anything of this kind cure that undernourishment? Certainly not. A more important question is whether children should be taught to depend upon the Federal Government to feed them. Should the tender minds of little children be impregnated with the idea that the politicians here in Washington love them more than their own parents? That is really the big question in considering this measure.

Dr. Parran spoke about the various tests which have been made to determine nutritional deficiency. Of course, there are plenty of such tests, some of them are sound, but that does not make a case for this bill.

Now may I ask the chairman of the committee why he did not invite to these hearings some outstanding physiologists to testify.

Mr. FLANNAGAN. We thought we had the best testimony we could obtain. I do not know whether it was on oversight or done purposely, but the gentleman skipped over the name of Major General Hershey, he skipped over the name of Judge Marvin Jones, who was a member of this body for years and chairman of the Committee on Agriculture, later War Food Administrator and he also jumped over the names of other witnesses who are intimately acquainted with the program and its advantages.

Mr. SMITH of Ohio. I do not yield any further. I asked the question, why did not the gentleman invite some outstanding physiologists to testify on this

bill? That is what I should like to know. The gentleman does not regard the physicians who testified on this measure as outstanding physiologists, does he?

Mr. FLANNAGAN. I understand that Dr. Parran is quite an authority. I also understand that Dr. W. H. Sebrell, Medical Director, United States Public Health Service, is quite an authority.

Mr. SMITH of Ohio. Let me ask the gentleman this. Why did he not then invite some outstanding physiologists who are not employed by the Government? What would those physiologists say about a proposition like this? They would simply say, "There is no evidence here at all to support your program. There might be such evidence somewhere, but it is not presented in these hearings." That is what an outstanding physiologist who was not on the Government pay roll would say to you.

You have mixed up in this program surplus farm commodities. Shades of 1933 to 1939! Here come your New Deal recovery measures again. This is not a scientific consideration of anything. This is a purely political matter. Let us label the thing for what it is. That is the position I have to take on this matter.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. VOORHIS of California. In answer to the question of the gentleman as to why we did not have a physiologist, may I say that the committee was conscious of the fact that the gentleman from Ohio is a Member of this body and we felt fully confident, since he is a physician himself, if he were not satisfied with the testimony we had, he might come before the committee himself.

Mr. SMITH of Ohio. The gentleman from Ohio does not happen to be a physiologist and he would not for one single minute pretend to anyone that he was.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from Colorado.

Mr. HILL. A moment ago in your remarks you said something about these home demonstration and home economics classes where these girls worked under these county extension agents. Let us assume that a third of their money comes from the county, one-third from the State, and one-third from the Federal Government. Do you consider all of these people employees of the Federal Government?

Mr. SMITH of Ohio. No, no; I did not say that.

Mr. HILL. But you led folks to believe that these girls did not work for the State of Maryland. Answer my question. Are they Federal employees? That is all I want to know.

Mr. SMITH of Ohio. I did not indicate they were. I said Federal Government employees testified in favor of this measure.

Mr. HILL. Let us read the first young lady's name that you read and let us see who she is. Is she not an employee of the State Agriculture Department of the great State of Maryland?

Mr. SMITH of Ohio. I would rather let the record stand and show what I said.

Mr. HILL. If you disregard everyone on the Federal pay roll, then I ask you, what weight shall we give to the gentleman's own evidence, who is himself paid by the Federal Government?

Mr. SMITH of Ohio. Well, that is true. That is perfectly true. The gentleman from Ohio is on the Federal pay roll and sometimes he does not feel so good about it, to tell the truth, and is not exactly very happy about it. Notwithstanding, I have a duty to perform, one of which is to pass judgment on proposed legislation. I consider it my duty to point out wherever possible the baneful influence which the bureaucracy exercises upon legislation. That is what I am trying to do now.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. FLANNAGAN. The gentleman has brought in the medical aspect of this question. I would like to call his attention to the fact, and I believe this is pretty good authority, that this bill has the approval of the American Medical Association; it has the approval of the American Public Health Association; it has the approval of the American Medical Women's Association; it has the approval of the American Diabetic Association.

Mr. SMITH of Ohio. Mr. Chairman, I cannot yield further to the gentleman. Regardless of who recommends this legislation I believe it is wrong and should be defeated.

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I believe in the first place it is important to bring the House back to the consideration of the amendment before us. That amendment, as explained by the chairman of the committee, would be very disastrous if adopted as part of this bill. The effect of the amendment, as explained by the author of it, would be to say that no State could count as its contribution toward school lunch programs anything except money actually expended for food. In my speech of yesterday I stressed the point, that it is impossible under our bill for any Federal official to do a single thing on the school lunch program unless and until the people of a local community have set such a program up. Under that philosophy, we obviously would be dealing unfairly with these local communities if it were not possible for them to count as part of their contribution the salaries that they pay to people who prepare these lunches; their necessary expenses for equipping the lunchroom and other things of that character. Furthermore, the adoption of this amendment will mean that the wealthier districts of the Nation will be able to take advantage of the program, but to the extent that this amendment has any effect at all, it will be in the poorer school districts where there will be less of a chance for such districts to participate and have the advantage of it.

For my part, I am primarily concerned in the problem of meeting the dietary needs of American children. And since those needs are clearly greatest in the school districts of least wealth, and since

this amendment militates in exactly the opposite direction, I hope it will be defeated.

As to the remarks of the gentleman from Ohio [Mr. SMITH], the chairman of the committee has pretty well answered him, but I want to make one or two further statements, because the record, not only before our committee, but in the political literature of this Nation, is replete with evidence of the need for improved dietary standards for the American child.

I have here a reprint from the Ladies Home Journal, a pretty venerable and respected American magazine certainly, which was reprinted and put out by the Ladies Home Journal because of the vital interest of that magazine in the health and welfare of the children of this Nation. The title is, "Has Your Child Half a Hog's Chance?" In the concluding paragraph of this piece is an appeal for the school-lunch program which your committee brings before you today.

Mr. COFFEE. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. COFFEE. Would the gentleman care to comment on Dr. Parran's professional competence? The statement of the gentleman from Ohio reflected upon his professional standing, when he is recognized as the outstanding authority in this country.

Mr. VOORHIS of California. I am obliged to the gentleman. I would be glad to do that. I agree heartily with what the gentleman has to say about Dr. Parran. Dr. Parran came before us with exhaustive evidence, from State after State in the Union, of the serious undernourishment from which the children of those various States are suffering. I do not know a single competent medical individual in this Nation who will question Dr. Parran's professional competence. Whether or not they agree with his views on public questions no one will question his professional competence to testify about this matter.

As the chairman has already pointed out, General Hershey also testified out of his experience with the conduct of the draft, to the same effect, that there is need in this Nation to see to it that the abundance produced by the farmers of this Nation goes in reasonable measure to the children who need it most.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. SMITH of Ohio. I do not believe my remarks would indicate that I reflected upon the integrity of Dr. Parran.

Mr. VOORHIS of California. I am very glad to have the gentleman say that.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. CURTIS. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I have listened with interest to the debate on this school lunch bill. We are all in favor of having the children of America well fed. I believe that the cost of their food should be paid now by their parents and by the local-school authorities. This legislation would require these little children to pay for their own food by adding it to the

national debt. Even after the Federal Budget is balanced, the passage of this legislation will mean passing on to our children a greater portion of our unpaid national debt.

Mr. Chairman, these children are intelligent. You cannot fool them. If the Federal Government undertakes to pay the cost when a child is born, provide him with a free school nursery, give him medical care throughout his life, give him free lunches, unemployment compensation and old-age security, then he is going to ask, "What will the Federal Government demand of me?" All of these so-called benefits mean additional burdens in taxes throughout the productive years of our children.

This Congress has nothing to give to the children of America except that which it later takes away from them in taxes, plus a heavy load of interest and administrative expenses.

We are deceiving our children when we say that the Government has wealth to give away. We should stop talking about Government benefits and tell the truth about the burdens of Government.

There is a further reason why this legislation is wrong. It is a false education, it is stateism in its worst form. Already hundreds of little children have been instructed to write the politicians in Washington for something to eat. Shall we teach them that one must labor for his daily bread or that he need only join a political lobby?

Others may join in an insidious educational program to teach the children of America to pray: "Our politicians, who art in Washington, give us this day our daily bread," instead of praying: "Our Father, who art in Heaven, give us this day our daily bread"; but I cannot do that.

Mr. JENNINGS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I have examined this bill closely, and for the life of me I am not able to find anything under the bed that is alarming. I find nothing in it that saps the foundation of the Republic or that will make a child believe that he or she is now, or hereafter will be, dependent on the Federal Government.

I taught school when I was a young man, and four of those schools were rural schools. I had to walk quite a distance from my boarding place and carry lunch, and many children brought theirs. Then, for 2 years I served as superintendent of public instruction in my county. Since then I have served on city boards of education, and I have seen the educational system of my State make long strides. I have seen the organization of parent-teachers associations and I have seen the consolidation of one-room schools into great consolidated schools, where as many as 15 or 20 teachers were on the staff. Then I have seen the introduction of this noon lunch for children. These lunches are prepared under the auspices of parent-teachers associations, under the supervision of skilled dietitians in the department of home economics. During the Christmas holidays I attended Everett High School in the great county of Blount. That school is attended by over 2,000 children.

I was privileged to eat lunch with them. It was not a special lunch, but I am telling you that it was a better lunch than you can get any day down here in this restaurant on the floor below us; and children who otherwise would have had a cold and an inadequate lunch were able to buy an excellent one for 10, 15, or 20 cents.

Over 50,000 young men from my district have gone into the armed services. The high school of my city has on its service flag 122 gold stars. In the homes of the rich and in the homes of the humble and the poor hundreds of stars on those service flags have turned to gold. We have interrupted the life of our youth; we have taken them out of school; we have drawn heavily upon the seed corn of the future manpower and womanpower of this country. This bill is designed to see that no child in this country goes to school and goes hungry; that it what it is designed to do. Its purpose is to fit our youth for service, both in peace and in war.

Mr. BUCK rose.

Mr. JENNINGS. I would like to yield to my good friend, but I cannot right now.

It is not a program that is Federal; it is an effort on the part of the Federal Government to cooperate with and further and intensify this great humanitarian movement that is designed to make strong, vigorous, healthy, red-blooded Americans. What boy who simply gets a square meal at noon is thereby made susceptible to influence by subversive elements in this country. It simply makes him happy, strong, and vigorous. I know how poor people live. I have been in their homes. Since my good friend from Ohio is disturbed because no outstanding physiologist has testified in this matter, I want to qualify, even though I am a modest man, as somewhat of an authority on physiology. I have approached middle life strong and vigorous because I know about physiology. It takes good, substantial, wholesome food to make a strong man. My mother was a wonderful cook, my wife is a wonderful cook, and on one of my farms I have seen four generations of healthy strong people because they understood and enjoyed the use of nutritious food.

Mr. Chairman, that is all this bill does. It gives our school children milk and wholesome food and sees to it that some of these little fellows out in the hills who walk 3, 4 or 5 miles to school with their lunch bucket may have something warm to eat.

There is all the difference in the world between a hot meal and a cold meal. Poor folks have nutritious food that is good when it is served hot.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. JENNINGS. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. JENNINGS. Mr. Chairman, there is all the difference in the world between a hot meal and a cold meal. The average food of poor folks is good when it is hot

but you know if it is carried off in a bucket and it gets cold it is not so good. You take this gritted bread we make. Did you ever eat any gritted corn bread? When it is hot it is the most delectable food in the world, but when it is cold you can half-sole your shoes with it. You know Bob Taylor once said that the only significance about Mason and Dixon's line is that it is an imaginary line between the land of cold light bread and hot biscuits.

Mr. Chairman, I want these little fellows to have a hot meal, hot soup, cold milk, prepared under sanitary conditions. I want to take care of the young people of this country. If you want to live to a ripe and happy old age associate with the young folks because under the roof of every school building in this country, you will find the fountain of perpetual youth. Our young people are the seed corn of the country, they are the greatest asset of the Nation. This is not a Federal program. We are just giving the Federal Government a chance to come in and participate in a program that is already being carried on by the people of the States and counties as well as the various communities.

I hope this amendment offered by my good friend from New York, for whom I have the utmost respect and affection, is defeated and that the bill is passed. It is a program that we cannot afford to abandon.

Mr. COFFEE. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from Washington.

Mr. COFFEE. I want to compliment the distinguished eloquent gentleman from Tennessee on a very statesmanlike speech that will long be remembered.

Mr. JENNINGS. I thank my friend for his generous statement.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. WHITE. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. FLANNAGAN. Mr. Chairman, I move that all debate on the pending amendment close in 5 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Virginia.

The motion was agreed to.

The CHAIRMAN. The gentleman from Idaho is recognized.

Mr. WHITE. Mr. Chairman, I am for the pending bill. Today America stands as preeminent among the powers of the world. That power was created in large measure, if not wholly, through the educational system of this country. Without such an educational system we might be as helpless as were the people of Ethiopia who were some of the best fighters on the face of the earth, yet they were powerless against the mechanical developments of the invading forces of Italy. We might go the way of the North American Indian without education. In some sections of this country there is many a child that will get one good meal a day, and that will be the lunch provided for under the terms of this bill. I am for this legislation, and when we go back into the House I propose to insert

some of the communications that have reached me on this constructive measure.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. BUCK].

The amendment was rejected.

Mr. ABERNETHY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ABERNETHY:

Page 5, line 15, strike out the words, "any fiscal year thereafter" and insert in lieu thereof "the fiscal year 1951."

After the period on line 17, insert a new sentence as follows: "All authority under this act shall expire on and after June 30, 1951."

(Mr. ABERNETHY asked and was given permission to revise and extend his remarks.)

Mr. ABERNETHY. Mr. Chairman, the purpose of this amendment is obvious. Specifically it is to get the Federal Government after 5 years, except as to the distribution of surplus commodities, out of the program. There was a feeling among many of the members of the Committee on Agriculture, as well as many of the witnesses who appeared before us, that the Government eventually should get out of the program and leave the same entirely to the States. Many witnesses appeared before the committee in behalf of the bill, and very nearly every one of them expressed the opinion that when the program had had a fair opportunity to get under way the Government need not participate further; that it would be unnecessary for it so to do.

The chief argument offered in support of the legislation was that the people back in the States needed training and information as to dietetic standards and nutritional food values which the program offered. They assumed that the people in the States were not sufficiently informed or interested in the values of these two things to promote the program alone, and therefore if the Federal Government would promote it then their interest would be so intensified and stimulated that State authorities would then take over and carry on.

To show you that that was the feeling of the committee, there were three bills introduced, each subsequent bill further reducing Government participation. The first bill was introduced on March 19, 1945. It provided as follows:

That the amount expended under section 2 in any such program during any fiscal year shall not exceed the total amount otherwise furnished for the same purpose by or on behalf of the State and local school authorities and other groups, including the value of donated services.

And so forth. In other words, in the first bill there was exact matching, dollar for dollar. Then on May 7, 1945, another bill was introduced and that bill provided for larger matching funds by the States and less by the Government. It provided that for the first 5 years the Government would contribute \$1 for each State dollar, for the next 5 years the Federal Government would contribute \$1 for one and one-half State dollars, and from thenceforth the Government would contribute \$1 for every \$3 contributed by the State.

The measure before you was introduced on June 4, 1945. It further reduced Government participation in the program. For the first 2 years it proposes that there shall be matching of \$1 for \$1, for the second year, \$1 for \$2, for the next 2 years, \$1 for \$3, and from thenceforth, \$1 for \$4. So it is evident that there was a clear effort to get the Government out of the program and for the amount contributed after the fifth year, so far as this bill is concerned, it might as well be out.

I take the position that at the end of 5 years the people of my State and your State will have learned so much of the values of the program and will have it so set up that they can and will want to carry it on alone. After all, the Government will be very nearly out, anyway.

The adoption of this amendment will not repeal section 32 of the act of 1935, which authorizes the Secretary of Agriculture to distribute surplus commodities among the schools. That authority which is so beneficial to our agricultural enterprise will be continued and the school-lunch programs will continue to share in these benefits.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman from Michigan.

Mr. DONDERO. Was there any evidence before the gentleman's committee that any State had refused to do something for itself along the line this bill intends?

Mr. ABERNETHY. There was no evidence whatever that any State had refused to do so. I recall particularly one of the witnesses from one of the large cities who stated in response to a question I asked that he believed that if the States were given this Federal assistance for a few years they then would have the program so entrenched that they could carry it on themselves.

Mr. Chairman, whether my amendment be adopted, or not, I shall vote for the bill unless it be weighted down with undesirable amendments.

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have felt that if proper criticism might be directed at any of the provisions in title I of this bill it would be at those provisions which gradually accelerate the requirements as to State and local matching, culminating in the year 1951, when the State is required to put up \$4 for each \$1 put up by the Federal Government. I have felt that that is probably a requirement which is too strict in character, but I have decided to go along with the Committee on Agriculture, as far as I am individually concerned, in the conclusions which it reached after long and careful study of this subject matter.

However, any suggestion that we eliminate from the bill any authority to make appropriations after the fiscal year 1951, it seems to me, should be made by no one except someone who is interested in the program not being legislatively authorized. If the object is to get the Federal Government out of this program, and if that is a desirable object, then why not get it out of the program now?

In order to do that, all you have to do is vote against the bill. But if it is a desirable program, and I certainly think it is, then why not await the further development of the program during the years that would elapse between now and the fiscal year 1951, and then let the Congress or the gentlemen who may be occupying our places in the Congress at that time determine whether or not the record of the program is such as to justify its continuance?

I call your attention to the fact that the mere existence of an authorization does not require that the Congress make an appropriation. We have many authorizations for the appropriation of money on our statute books which are never utilized by the making of appropriations thereunder. If in the progress of the program the Congress becomes convinced in 1 year, not waiting until the fiscal year 1951, but in the next fiscal year, for example, that appropriations ought not to be made under the authorization, then the Congress will take appropriate action and see that that is not done. There is certainly no necessity for undertaking at this time to bar the Congress in the fiscal year 1951 from continuing this program if in their discretion they deem it to be advisable.

I yield to the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. I do not think the gentleman intended by his remarks to leave the impression that it was my purpose to get the Government out of the program now. I respectfully submit I do not make that statement. My purpose was that eventually after the States have gotten into the program, the Federal Government would get out, which was also the feeling of many members of the committee and many witnesses who testified before the committee in the hearings on the bill.

Mr. TARVER. No, I do not understand that the gentleman thought it should get out of the program now. But I said if he desires to be consistent and if it is desirable to adopt his amendment with a view to getting the Government out of the program in the fiscal year 1951 or thereafter, then if that is a desirable thing the Government should be gotten out of the program now. If it is thought that sometime the Government should eventually be gotten out of the program and it is desirable to take steps toward that end, then the logical viewpoint of the gentleman should be that the Government should be gotten out of the program now without waiting for the fiscal year 1951. I do not think that is the gentleman's position, but I still insist if he were logical that should be his position if he seriously advocates the adoption of this amendment. I sincerely hope that the amendment offered, which would be crippling in nature and unduly curb or attempt to curb the discretion of a future Congress, is voted down.

Mr. GIFFORD. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I hardly think I will take the 5 minutes, but my conscience is treating me so badly in this matter and I must relieve myself. I wish to make

a suggestion to those who have made so many impassioned speeches. "Be not righteous overmuch." The present administration's followers have pleaded righteousness in a multitude of causes during the last dozen years. They have led us to vast and dangerous expenditures. I taught school for a long time. Surely I love children as much as any man in this House. I have visited the schools a great deal. I have attended these lunches. I know how they work. It must be difficult to determine whether a child can pay, and establish who may be needy. I have to determine, as must you, as to how much we are to continue to allow the Federal Government to go further into debt in order to encourage the States. These methods have always been the beginnings of tyrants who professed love for the people and would give largesses to them until they could assume the position of actual control. It is sometimes a slow process, but that end is inevitable. Certainly, I could also make a very tearful speech, pleading for the children. I repeat, "No man here could love them more." But we have arrived at that moment when the Federal Government is in a highly dangerous position financially. If you do not see it, your eyes must be closed and your ears cannot hear the truth. This should be a terrifying warning to us lest we further add to the national debt. Our State governments are generally in good financial condition at the present time. They can well afford to do much that the Federal Government should not be asked to do. I have tried to keep my own eyes and ears open. We have heard some able and persuasive speeches against this legislation, but because you are so righteous you could not or would not listen to or heed them. The gentleman from Texas made an unanswerable appeal. No, you would hurl at us the charge that we are not righteous and that we do not love children when we are really trying to protect them from future calamity. We must save our Government from financial disaster. I now feel I must vote against this bill. The class of people who have appealed to me have been largely school authorities who are my best friends and whom I know more intimately than most others. I dislike to disappoint them. However, I must do my part to protect the Treasury from such expenditures planned not just for the lean years, but meant to be permanent. This is but one small item but it is an acorn from which large trees grow. By the amendment eliminating their expenditure in 1951 you acknowledge the danger of its permanency. Today is the easiest time to vote against permanency. After continuation of such largesses for so many years we will not be able to eliminate it.

I wished to argue with my conscience before witnesses and I have somewhat relieved myself. The Treasury of the Federal Government is causing me great worry. Psychologically, we think our dollar is good, but when that comfortable psychology disappears, who can predict the depth of bankruptcy for all of us? Highly emotional, righteous people, at the moment may criticize as they do, and consider that I am not righteous.

However, I know myself better than they know me, and I must continue to save the Nation's financial stability. It certainly is now jeopardized.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. DIRKSEN. Mr. Chairman, I rise in opposition to the amendment.

I would like to ask the author of the amendment a question or two concerning the last portion of his amendment.

As I remember the language, it says that all authority under this act shall terminate in 1951. Is that correct?

Mr. ABERNETHY. That is the amendment.

Mr. DIRKSEN. What is the gentleman's interpretation of that language as it applies to the authorization which is contained in the first section of the bill?

Mr. ABERNETHY. It means just what it says; that all authority under the act will terminate and there will be no further authority under the act.

Mr. DIRKSEN. In other words, there will be no direct Federal appropriation for this purpose after 1951, if the amendment should prevail?

Mr. ABERNETHY. That is correct; not unless it be made today. Furthermore, it does not repeal section 32 of the act of 1935, which provides for the distribution of surplus commodities among various groups.

Mr. DIRKSEN. Mr. Chairman, therein lies the difficulty. I find myself in a position where I must oppose the amendment.

We have had so much difficulty in the last 10 years in connection with the school-lunch program, for, as you know, there was no statutory authority for it. Points of order were frequently made, sometimes by myself, on the floor of this House, but the money was ultimately restored in the Senate, and thereafter the Senate provision was not subject to a point of order when the bill came back in a conference report. The amendment offered by the gentleman from Mississippi certainly does not achieve a very good objective, because it would precipitate us into the very position we were heretofore. So often in the Subcommittee on Agricultural Appropriations we have discussed the advisability, as the gentleman from Georgia [Mr. TARVER] so well knows, of inserting this school-lunch program in the bill.

Now, let us determine whether or not there is going to be a program, and, secondly, let us do whatever is called for in order to continue it and implement it out of Federal moneys. If we go back to the old scheme, let me say to the gentleman from Massachusetts [Mr. GIFFORD] we would not save any money, because then we would simply be diverting \$50,000,000 out of section 32 money each year, which on the average amounts to an aggregate of \$120,000,000. So the situation is as long as it is broad. Are you going to take part of that 30 percent that is recaptured out of customs receipts, and against any legal authority for it, divert it to the school-lunch programs, have it knocked out on a point of order, go to the Senate and have it restored, or are we going to do it in a forthright fashion by doing it by direct appropriation?

So I cannot see that my friend is going to accomplish anything, because we will go right back to the pattern of 10 years ago.

Incidentally, I shall support this bill. I do hope that title II will be removed, but I think once and for all, after 10 years of experience, some forthright action ought to be taken, and our subcommittee should not be put in the position of constantly bringing it in here, having it subject to a point of order, and having all the credit go to another body in the legislative branch for the restoration of this item.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. ABERNETHY. Does the gentleman bear in mind that 5 years from now the States will be paying 80 percent of the cost of the program? Thereafter, if they are able to pay \$4 out of every \$5, why would it not be possible for them to pay the other 20 percent?

Mr. DIRKSEN. I am speaking from the practical standpoint of the appropriation bill; and I know we would be in the same fix all over again in 1951 that we have been in the last 10 years.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. VOORHIS of California. Furthermore and of first importance is the problem of the possibility of making constructive use of agricultural surpluses which the Federal Government for reasons of entirely different legislation than this might be in duty obligated to purchase would be gone and we could no longer use it for any other purpose.

Mr. DIRKSEN. Let me point out in that connection that the school-lunch program began as the child of an emergency back in the days of 1934 and 1935, when we were confronted with a vast problem as it related to farm commodities. So we attacked the farm-price problem on two fronts. One was under the Agricultural Adjustment Act to reduce acreage and reduce supply in the hope that the reduction of supply would be the necessary impetus to bring the price level up and restore the purchasing power of farm products.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. We also pursued the second project, namely, not only to reduce the supply and reduce abundance, but to extend use and consumption. So in the Act of 1935 we said to the Secretary of Agriculture that he could buy food items that were in abundance and divert them to welfare uses and to relief purposes. Secondly, we said he could take some money out of the Section 32 funds and devote it to the export of items that were in large supply.

Only last year we paid \$1.36 a barrel on flour that we sent to Cuba. That represented the difference between what the Cubans could pay and what we paid

for the wheat milled into flour. That is the second part of the program. Finally this program came along of diverting to the school lunch program some of these commodities that were in over supply. And I would say to my friend who is the author of this amendment that since he would have it become effective in 1951 the chances are there will be greater need in 1949, 1950, and 1951 for diversion to this or other purposes than there is at the present time, because certainly there is no scarcity when one looks at the whole agricultural problem of this country and the suffering that prevails in the world at the present time.

So here is a child of emergency, born long ago, that is now going to ripen into maturity and into permanency. As I suggested to my friend from Massachusetts a few months ago, it reminds me of the old refrain: *The Song Is Ended, But the Melody Lingers On*. And so we have an echo 10 years from the time this program was entered into under section 32 funds; and there is no choice in the matter today except to go ahead and give it statutory approval rather than to continue the program on the unsatisfactory basis on which it was carried in the past.

Next week the Committee on Appropriations will probably report the Agricultural appropriation bill for the fiscal year 1947. It will carry funds for a school-lunch program. If a rule is not obtained to make this item in order, any Member can make a point of order from the floor when the bill is under consideration and have it stricken from the bill. It will then go to the Senate.

Based upon long experience, it is safe to say that the funds for school-lunch programs will be restored by that body. If so, the amendment is no longer subject to a point of order when the conference report is considered in the House.

If the record of the past counts for anything, it is fair to assume that if the pending bill, giving this program statutory authority is not passed, the school-lunch program will doubtless be carried on without it by virtue of Senate action. This is, indeed, an unhappy and an unhealthy situation and to remedy it, I, for one, shall support the bill before us, with the hope, of course, that title II, which I esteem to be unnecessary, can be stricken.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. O'HARA. Mr. Chairman, I wish to be recognized on the amendment.

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes.

(Mr. O'HARA asked and was given permission to revise and extend his remarks.)

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. FLANNAGAN. Mr. Chairman, I move that all debate on this amendment and all amendments to section 104 close in 10 minutes.

The motion was agreed to.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield for a consent request?

Mr. O'HARA. I yield.

Mr. SMITH of Ohio. Mr. Chairman, I ask unanimous consent to revise and extend the remarks I made earlier this afternoon.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. O'HARA. Mr. Chairman, as I heard the amendment offered by the gentleman from Mississippi read, it appealed to me as rather fundamental to some of us who desire to go along with this bill if section 2 is stricken from it and who want to be sure that this is not, as someone said yesterday, the sugar-coated bait that is going to be the effort on the part of the Bureau down here in Washington to take over control of our State public-school systems. I have been here long enough to realize that there have been various attempts made at different times by Federal bureaucracy while I have been here and before that to get further control of our State educational systems which I feel fundamentally is the problem and the duty of the States to administer and not to be supervised and superintended by somebody down here in Washington; therefore I am very heartily in support of my interpretation of the gentleman's amendment because I think it is fundamental.

I have noted in the debate upon this subject that a number of Members of the House have spent some time attesting the fact of their attendance at school and, therefore, I would like to tell you about the hot lunch program I had in school. It so happened that during part of my school career I lived in the country and in that part of the world where the winters were very cold. At one time I had to walk some three and a half miles to school. At one time the temperature was 60 below zero and at another time it was 56 below. I carried my lunch to school. By the time the lunch period came around I had an opportunity to have it thawed out by putting it near the fire, yet I seem to have sustained myself pretty well up to the present time on that sort of program. I do not mean to say by that that the children of this day and age should have to eat those kind of lunches or should have to travel under those conditions. The gentleman from Tennessee spoke about the boys having to travel four or five miles to school. Out our way they are carried to school in fine school busses.

We have this situation in my part of the country. We have schools up there that have conducted a fine lunch program long before the program was initiated by the Federal Government. I know some schools in my district, no matter what we do on this bill, are not going to have this school-lunch program. They are opposed to it. Others will have this school-lunch program whether the bill passes or not. That is the way they feel about it and they have been doing an excellent job.

The strange thing about this bill is that I have had almost as many people from Washington, who represent home economics groups, call on me as I have had

communications from my district urging support of this lunch program. All of these charming pleaders of Washington origin seem to be representing a home economics group who were interested in getting jobs. I asked each one of them if that was their idea and it appeared to be, although some answers were slightly evasive.

Mr. Chairman, fundamentally this is going to be a problem which the local school districts will have to face and they will have the problem of administering it. We have in our districts, all of us, home economics teachers who are very skilled and trained in dietetics and capable of putting on this program. To say that because we have this so-called hot lunch program and that the children will become educated in what is a necessary diet by reason thereof is ridiculous. There are fundamental ways of teaching the importance of diet other than trying to sell this program on the basis that giving children a hot meal teaches them what they should eat.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from California.

Mr. VOORHIS of California. The gentleman knows I agree heartily with him about local control and administration, but may I ask him whether he does not agree that there are times when it is important that the National Government make certain purchases of agricultural commodities that are in surplus in order to prevent a complete depression of the price structure for the farmers?

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. VOORHIS of California. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. O'HARA. May I say to my distinguished colleague that I do not think \$50,000,000 is going to solve our agricultural problem. I agree that in some situations it may be helpful; I think that is true. I think the serious thing is that out our way we are going to get our food from other sources and manner than will the gentleman in California or in some other State, maybe. I think that is the picture as far as the practical side is concerned.

Mr. VOORHIS of California. Quite true; but if we are going to do that, then is there any better use that the food could be put to than the use provided for in this bill?

Mr. O'HARA. No. I think it is a very good use. Do not misunderstand me; I think it is an excellent use. But we are not going to say that simply because we have this program we will dispose of our surplus.

Mr. VOORHIS of California. By no means.

Mr. FLANNAGAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall not consume the remaining 4 minutes, but there are one or two observations I want to make. We

step this matching provision up pretty sharply. It goes up by 1950 to the ratio of 4 to 1. The States will be putting up 80 percent against the Federal Government's 20 percent. I am afraid that, if we cut the Federal participation off at that time, that in all probability we will wreck the program just at the time it is becoming permanently established. I believe that that question should be left to the future determination of this House. We all, I think, are in agreement that we would like to see the Federal Government step out of the picture and let the States carry on, but I think it is too early in the program for us to make that determination at this time.

As to section 32 funds, remember this, gentlemen, that section 32 funds can only be used to purchase surplus commodities, and usually you cannot furnish the child a nutritional meal on surplus commodities, because it very seldom happens that commodities that necessarily go into a nutritional diet are surplus at the same time. I doubt if we have ever had a period in this country when a nutritional diet could be entirely provided out of surplus commodities. This direct appropriation can be used by the Secretary to purchase nutritional food whether in or out of surplus, and in addition to that he can use section 32 funds to purchase surplus.

I do hope it will be the pleasure of the Committee to vote down the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. ABERNETHY].

The question was taken; and on a division (demanded by Mr. ABERNETHY) there were—ayes 98, noes 84.

Mr. FLANNAGAN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. FLANNAGAN and Mr. ABERNETHY.

The Committee again divided; and the tellers reported that there were ayes 124, noes 127.

So the amendment was rejected.

The Clerk read as follows:

STATE DISBURSEMENT TO SCHOOLS

SEC. 105. Funds paid to any State during any fiscal year pursuant to section 104 shall be disbursed by the State educational agency, under such agreements made in accordance with the provisions of this title and approved by the Secretary as may be entered into by such State agency and the schools in the State, to those schools in the State which the State educational agency, taking into account need and attendance, determines are eligible to participate in the school-lunch program under this title. Such disbursement to any school shall be made only for the purpose of reimbursing it for the cost of obtaining agricultural commodities and other foods for consumption by children in the school-lunch program under this title. Such cost may include, in addition to the purchase price of agricultural commodities and other foods the cost of processing, distributing, transporting, storing, or handling thereof but not the cost of administrative, supervisory, or other personal services incurred in connection with the school-lunch program under this title. In no event shall such disbursement to any school for any fiscal year exceed an amount determined by multiplying the number of lunches served in the school in the school-lunch program under this title during such year by the maximum Federal

food cost contribution rate for the State, for the type of lunch served, as prescribed by the Secretary.

NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

SEC. 106. Lunches served by schools participating in the school-lunch program under this title shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost, or at a reduced cost, to children who are determined by local school authorities to be unable to pay the full cost of the lunch. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay. School-lunch programs under this title shall be operated on a nonprofit basis. Each school shall, insofar as practicable, utilize in its lunch program commodities designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or commodities donated by the Secretary. Commodities purchased under the authority of section 32 of the act of August 24, 1935 (49 Stat. 774), as amended, may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities for utilization in the school-lunch program under this title as well as to other schools and institutions now authorized to receive such commodities.

STATE EDUCATIONAL POLICIES PRESERVED

SEC. 107. In carrying out the provisions of this title, neither the Secretary nor the State shall impose any requirement with respect to administration, teaching personnel, curriculum, instruction, methods of instruction, or materials of instruction of any school.

Mr. FOLGER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this occasion and this minute or two of time to suggest to the membership of the Committee that in our hesitancy in appropriating this small amount of money for the benefit of the children of this country we are typically and definitely straining at a gnat while we so often swallow a camel.

What I am saying is probably not so important but the subject is one of great importance, even though the amount is quite insignificant. You have had your memories recalled to the willingness of this Congress to appropriate for agricultural purposes for the treatment of various diseases of cattle and other livestock, and the preservation of the soil of the country throughout the United States, which might be considered a function that ought to be borne by the several States or, taking it down further to even the last county in every State. But I have an idea, Mr. Chairman, that every child in every school district in every county in every State in this Nation is a child of the Nation; that every one of them is an American citizen. What the United States of America may expect in citizenship, and if you put it upon that ground, in economic development in the years that are to come, depends more definitely and more largely upon the opportunities that the children of every State and every county in this Nation have, than it does as to how our cattle or a certain field or certain soil shall get along, or other economic considerations may be promoted.

We have robbed, of necessity, during the war many of our boys of the opportunity to proceed with their education in the United States because we were in

war. Many of them will come back and never go to school again. Thousands of them will come back too late in the economy of time, after they shall have reached the age of 21 years, when they feel themselves obliged to make their own way. We will lose that and we will never get it back.

This program that is designed to improve the health, physical as well as mental, of the children of this country, is one of high importance to the United States of America as a nation; and the amount is so small and the value of it will be so great that I cannot understand why anybody would quibble at the little we propose to do.

Oh, you "holler" statism, Federal control. Let us not be so afraid of the Federal Government that we cannot accept aid upon its part for a program that means so much to the Nation itself and to our children.

This Nation will never become greater than the sum total of all the children, boys and girls, in this land as they come along from year to year. I plead with you, I call to your attention the importance of this matter to the Nation, the care and the growth of the children; and do not be scared away by the cry of statism or anything like it. That is quite insignificant to the value of this work that is being done.

Mr. NEELY. Mr. Chairman, the progressive, praiseworthy statesman, the gentleman from Virginia [Mr. FLANNAGAN] deserves the gratitude of all who love their country for his great service in introducing the pending bill which is designed to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch and nutrition-education programs. The gentleman has, in sponsoring this measure and in conducting the exhaustive hearings, the record of which impressively pleads for its passage, demonstrated the fact that he is a true friend of the free school—the cherished institution which Horace Mann, the famous educator, said is "the greatest discovery ever made by man."

Independently considered, the gentleman's service to education is outstanding. But in comparison it shines with the luster of the morning star. For be it remembered that only a few generations ago Gov. William Berkeley, of Virginia, said in his report to the Commissioner of Colonies:

I thank God there are no free schools, no printing and I hope we shall not have them these hundred years; for learning has brought disobedience and heresy and sects into the world, and printing has divulged them.

Happily many Members of the Congress, like the gentleman from Virginia, Chairman FLANNAGAN, know that humanitarianism and progress, like righteousness, exalt a nation but that standpatism and reaction are a reproach to any people.

Arguments have been made against the bill which cause me to fear that some of those who oppose it may adhere to a philosophy that is not wholly unrelated to that expounded by Governor Berkeley. Yesterday the gentleman from New

York [Mr. WADSWORTH], a distinguished former United States Senator; the eloquent gentleman from Texas [Mr. SUMNERS], and the able gentleman from Illinois [Mr. ARENDS] vigorously assailed the bill. The capability of these gentlemen is such that anyone of them could, without immodesty or exaggeration, repeat the boast of the philosopher Aristippus: "Give me a theory and I will find an argument to support it."

Fortunately for the friends of Federal aid to the school-lunch programs, the argumentation of the opposition, including that of the gentlemen named, is by no means as logical and as convincing as it is eloquent and entertaining. For example, the gentleman from New York, for whom I have the greatest respect, said:

We are entirely competent to do this thing—provide school lunches—right in our homes and in our communities and in our States. * * * Why should we take one more step down the road toward statism?

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. NEELY. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. NEELY. Let me invoke another eminent New Yorker, Mr. George H. Chatfield, a member of the Board of Education of New York City, who is an authority on the school-lunch program, to refute Senator WADSWORTH's argument. As appears on page 137 of the record of the hearings, Mr. Chatfield said:

A sound body is the foundation on which is based the skills, knowledge, and experience by which this country has become preeminent.

A sound body is the result of feeding in childhood and youth. There is no alchemy by which the stunted adult can be transformed.

The Nation, as well as the State and the local community, has a stake in the result. The costs which have to be shouldered for hospitalization, institutional care, loss of productivity due to absence and accident, are to a very large extent due to poor bodily development. The Nation must take the lead and show its partners, the State and the community, the way.

Manifestly it is for you to determine, and not for me to decide, whether you shall march under the banner of the New York expert or the New York non-expert in this highly important contest between those who, on the one hand, are looking to the future and striving to serve it and those who, on the other, oppose doing anything for the children of the present or the future that was not done for their sadly underprivileged grandmothers in the rigorous days of the long ago.

The gentleman from Texas, in voicing his fear of the Federal aid which the bill is designed to authorize, said, among other things: *

There is something which goes along with that food, this Uncle-Sam-for-nothing stuff, which is bad for the grown people in these communities and worse for their children. * * * You inculcate in the minds of these

children, at the impressionable age of their lives, that they can get and ought to get things for nothing from Uncle Sam.

Even the gentleman from Texas, for whom I have entertained a warm friendship for more than a quarter of a century, cannot, with all his oratorical ability, convince me that it is "bad for the grown people and worse for the children" of his State or any other State for the Federal Government to help make the present and future generations strong and healthy, multiply their educational opportunities, and increase their value both to their country and themselves. Nor can the gentleman convince me that the school children, by virtue of this bill or any other similar measure, will ever receive something for nothing from the Federal Government.

The maintenance of the Government is dependent upon the result of taxation. Taxation is, or should be, in direct proportion to the earning capacity and the wealth of the people. Both earning capacity and wealth are largely dependent upon the health and education of those who possess them. Every dollar prudently spent by the Federal Government for school lunches is a dollar invested in the promotion of the physical, mental, and financial welfare of the future taxpayers of the United States. Every dollar of this investment will, in my opinion, eventually be repaid with compound interest by the beneficiaries of the Federal aid that is authorized by the bill.

The gentleman from Illinois does not object to hot lunches for school children, but he contends that the Federal Government cannot afford to help pay for them. Those who know how very many billions of dollars we have appropriated for military purposes and perceive that we shall, in all probability, soon approve a loan of nearly \$4,000,000,000 to Britain should not doubt the Nation's ability to authorize a grant of \$50,000,000 to help supply indispensable food and service to those of whom it was divinely said: "Suffer little children to come unto me, and forbid them not: for of such is the Kingdom of God."

Let me entreat the gentleman from Illinois to turn from his materialistic way to that blazed by the great humanitarian, Abraham Lincoln, who said, in effect: "I am for the man and the dollar, but in a contest between the man that God made and the dollar that man made, put me down on the side of the God-made man every time."

It is my hope that on the final roll call on the bill all the Republican Members will say by their votes: "Mr. Lincoln, we revere your memory; we walk in your footsteps; we favor our country and honor ourselves by casting our votes for the children of the Nation which you dearly loved, nobly served, and sublimely blessed."

But regardless of what Republicans may properly do, or improperly leave undone, let all on the Democratic side of the aisle, by unanimously supporting the bill, fully discharge their duty to the children who, in a few short years, will hold in their hands the destiny of the Republic and largely the fate of all the world.

(Mr. NEELY asked and was given permission to revise and extend his remarks.)

Mr. KEFAUVER. Mr. Chairman, I move to strike out the last three words.

(Mr. KEFAUVER asked and was given permission to revise and extend his remarks.)

Mr. KEFAUVER. Mr. Chairman, I take this time to express my approval of this program. This is truly an effort, as described in the declaration of policy, to safeguard the health and well-being of the Nation's children. I know of no more worthy project for the Federal Government to participate in than to sponsor a national effort to see that every school child has a hot lunch. The stability of our Nation, in the years to come, is going to depend upon the health and vigor of our school children of today. What can be more important to our future welfare, in making a contribution toward proper nourishment of our youth, than providing for at least one meal during the school day. As has been pointed out, we are quite liberal in our contributions toward the health and well-being of our livestock, so how can anyone object to a program which will be of some benefit to our school children?

It has been said here on the floor that the children will condemn this program as a "Federal hand-out." Well, I imagine that the children will be very happy to get a hot meal and that they will be appreciative of our great Government which makes this possible. This free school-lunch program has been condemned as undemocratic and is leading us down the totalitarian road. Such argument is without foundation. Nothing could be more basically American than a program of Federal aid to make possible nutritional-school lunches, under local auspices and under local control. The urgent need for such a program has never been more greatly demonstrated than in the last war, when 40 percent of the American young men were rejected for military service because of defects, which stemmed in large measure from nutritional deficiencies. This program does not centralize control in Washington. It encourages local committees to handle this under local auspices, to fit local needs and to meet local conditions.

I remember that when I was in school I was fortunate enough to be able to take a lunch to school. But a cold and soggy sandwich is not very much to look forward to. I remember though that many children with whom I went to school did not have even this much, and those of us who were more fortunate divided our lot with them. All of us would have been better nourished and better students if we could have had a hot bowl of soup and a glass of milk.

I want to congratulate Mr. FLANNAGAN upon his vigorous sponsorship of this measure. We are going to have a hot-lunch program. I see no reason why we shouldn't set up, as is done in this bill, a sensible and well-defined program for carrying it out.

Mr. REES of Kansas. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I just obtained this time to answer the distinguished gentle-

man from West Virginia [Mr. NEELY] who just left the floor. I realize that a boy from the country, with little experience on the floor of this House, ought not to attempt to follow such a distinguished Member of this House, who has been a Member of the body at the other end of the Capitol and who has served with distinction as the Governor of his own State. But I still think that the Members of this House have a right to express their individual views concerning legislation that comes to the floor of this House for discussion. Their views are entitled to our respect whether we agree or not. The gentleman from West Virginia has just made it appear that Members he has named as opposing this legislation are therefore not in favor of free schools in this country. I just cannot believe the distinguished Member from West Virginia intended to leave the impression that the distinguished gentleman from New York [Mr. WADSWORTH] or the distinguished Member the gentleman from Illinois [Mr. MASON], who incidentally served with honor as a school administrator for 30 years in his community, are opposed to free education. Neither can it be said that the gentleman from Illinois [Mr. ARENDS] or our good friend the senior Member from Texas [Mr. SUMNERS], or our colleague the gentleman from Michigan [Mr. DONDERO] are against free education for every child in this country. In fact, I do not believe there is a Member on the floor of this House that takes such position.

I listened to the speeches of every one of these gentlemen. Not one thing was said by any of them that would indicate or suggest opposition to free education for the children of this country; not at all. Each of these distinguished gentlemen expressed a desire to see that the children should have a chance for free education, and for every advantage that could be provided in the schools of our country. Every one of these gentlemen told this House—and I ask you to examine their statements that appear in the RECORD of yesterday—they wanted to see to it that all children were properly cared for, but they differ as to how it should be done. I remember that most of them were definitely in favor of hot-lunch programs, but took the position that the communities and the States should take care of them, rather than use funds from the Federal Treasury.

I know these gentlemen are capable of taking care of themselves, but I feel it is unfair, whether one is for or against the legislation, to leave such impression, and to compare them with some former Governor of Virginia, who a hundred years ago, was opposed to free schools in this country.

In support of his argument, the gentleman brings in the name of Abraham Lincoln. Do you think for a moment that if Abraham Lincoln were here today he would be intolerant with regard to this question? Do you think if Abraham Lincoln were here he would approve many things that are being done in the United States Government by the present administration? Do you believe he would favor all the bureaucracy in our Government? Whether he did or did not favor a lot of things going on in this House, he

would certainly be tolerant about it. So whether you are for or against this legislation, the gentleman's illustration with respect to the great Lincoln does not fit into the picture as exhibited on the floor of the House this afternoon.

(Mr. REES of Kansas asked and was given permission to revise and extend his remarks.)

Mr. FLANNAGAN. Mr. Chairman, I move that all debate on section 107 and all amendments thereto close in 15 minutes.

The question was taken; and on a division (demanded by Mr. POWELL) there were—ayes 35, noes 60.

So the motion was rejected.

Mr. CARNAHAN. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, our system of free public education is the basis of our national greatness. Our system of public education is the result of a long, slow, and hard uphill pull against many obstacles. We have come from the period when education was considered to be the sole obligation of parents to our present position of public education supported by taxation. A school-lunch program is another progressive step in enriching our educational effort.

Both as a parent—I have two sons—and as one with several years of experience as a school administrator, I favor a school-lunch program. I intend to vote for this bill, whether in its present form or with reasonable amendments. It is very difficult for me to understand the position of many who have spoken on this bill yesterday and today. Many statements follow this pattern: Oh, yes, I believe in a school-lunch program, but I am going to vote against this bill which aids and makes such a lunch program possible.

It has been charged here on the floor of the House that money appropriated for school lunches has been, and will continue to be, extravagantly wasted by bureaucrats and food experts who know nothing about either foods or children. As one who has been charged with the responsibility of administering a school-lunch project, I want to emphatically state that such arguments are not based on the facts. The school where I was last employed as superintendent took advantage of a lunch program made possible by Federal aid. The pupils from homes which were able to do so paid 5 cents a meal for a grade A meal, and the Federal Government paid 9 cents on each meal. With the 14 cents the school furnished a full meal for each pupil wanting it. Pupils from homes not able to pay also got the meal, and absolutely no distinction was made between paying and nonpaying pupils. In fact, no one except those administering the program knew who paid and who did not pay. In my opinion, such use of funds is not extravagant waste.

There is, of course, no basis for the arguments that the Government or the State should assume the responsibility for mental growth and development and at the same time refuse to assume responsibility for physical growth and development. We cannot expect our Nation to remain strong by intellect alone. We must also have a people who are

physically strong. The place to lay the foundation for physical strength is not at the age of 18 when military training may be required of all the boys. The foundation for physical strength must be laid much earlier in the life of the child. A school lunch program, to me, is so sound and sensible that it is very hard for me to see any wisdom in opposition to it.

I want to make my position on this proposed legislation very clear. I favor a school lunch program. I favor both title I and title II of House bill 3370. I intend to vote for final passage of the bill. I hope it will not be weakened by restrictive amendments and on behalf of all the children of America and for a strong America tomorrow, I urge all my colleagues on both sides of the aisle to support this very worthy legislation.

Mr. POWELL. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. POWELL: On page 9, line 6, after the period, insert the following: "No funds made available pursuant to this title shall be paid or disbursed to any State or school if, in carrying out its functions under this title, it makes any discrimination because of race, creed, color, or national origin of children or between types of schools or, with respect to a State which maintains separate schools for minority and for majority races, it discriminates between such schools on this account."

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes in support of his amendment.

Mr. POWELL. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. BROOKS. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. POWELL. Mr. Chairman, the amendment I have offered is the exact language, word for word, comma for comma, and period for period, which was in the original bill.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I am sorry I cannot yield unless I get extra time.

Mr. VORYS of Ohio. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The gentleman will proceed.

Mr. POWELL. I would like to have yielded if I had gotten the extra 5 minutes. That is why I asked for the extra time.

This is exactly the language, word for word, comma for comma, and period for period, that the author of this bill had in the original bill, H. R. 3143. When it was discussed in committee, this item was dropped, although in the committee report there is no notice of any discussion by witnesses concerning it, as to the cause of deletion.

This amendment is word for word, also, and comma for comma and period for period the exact language of the companion bill in the Senate, S. 962.

This has nothing to do with our pro and con on the bill. It merely means

that wherever money is allocated for a free-lunch program, North or South, whether separate schools or not, that money shall be given to the schools on the basis of the population percentage of the State.

The original idea, as I stated, was the language of the gentleman from Virginia [Mr. FLANNAGAN].

Mr. FLANNAGAN. Will the gentleman just yield for a question?

Mr. POWELL. I cannot. If I can have an extra 5 minutes, I will be glad to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. HOFFMAN. Will the gentleman yield for a unanimous-consent request?

Mr. POWELL. I yield.

Mr. MARTIN of Massachusetts. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. POWELL. I yield to the gentleman from Virginia.

Mr. FLANNAGAN. I would like to know what the gentleman from New York means by "types of schools" in the amendment.

Mr. POWELL. Inasmuch as it is your language, I am sorry I cannot tell you any more than you yourself know, because this is your original bill that I am quoting.

Mr. FLANNAGAN. I just wanted to know if the gentleman has placed any other interpretation upon that language than the ordinarily accepted interpretation. Different types of schools, I understand to mean schools of the same type.

Mr. POWELL. That is right. No other interpretation than that.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield.

Mr. CASE of South Dakota. Under the language that the gentleman proposes, would full protection be afforded those who attend Indian schools that are operated by the Federal Government?

Mr. POWELL. Insofar as the definition which I propose to offer later on defines a minority race; yes. That amendment will be to page 13, line 2:

SEC. (c). The term "minority race" means any race or racial group that constitutes a minority of the population of the continental United States.

Mr. CASE of South Dakota. Then the gentleman thinks that Indian children would be fully protected under his amendment?

Mr. POWELL. That is right.

Proceeding, I do not think there is any argument involved or further discussion necessary except that we should see that this bill guarantees that the health of America's poorest citizens, the people of the minorities, be protected. I am sure the author of the bill intended this; I am sure all of us who are in favor of the bill want it. It does not in any way alter the existing educational pattern of some States; it does not mean equal education, which is another subject to go into some other time. I know we do not in some States spend equal amounts of money

for education, but I am sure that no one can be found to say they would not want to spend equal amounts of money for food. We are spending vast sums through UNRRA for Europe, and we should. We cannot do any less for our own American citizens.

I am merely offering this amendment in the hope that we will be humane enough to see that minority races have the same opportunity in the free-lunch program as do those of the majority race.

If there are any more questions, I shall be happy to answer them before my time comes to an end.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield.

Mr. VORYS of Ohio. Can the gentleman tell us how many States have separate schools for majority and minority races?

Mr. POWELL. No; I cannot tell how many have separate schools. I have the facts here but I would have to go through a lot of papers to pick them out. We know that such States are located all over the country, scattered all around. In fact, my neighboring State of New Jersey has separate schools. It is not a sectional program, it is a national situation.

Mr. Chairman, I yield back the balance of my time.

Mr. TARVER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as I advised the Committee on yesterday, serving as chairman of the subcommittee on agricultural appropriations which has handled this appropriation during the several years it has been in existence, I have never been advised by anyone of any discrimination anywhere in the United States in the administration of the program, on account of race, color, creed, or any other condition of that type. I do not think there should be any discrimination based upon such considerations.

I realize and the people of the South, where most of the Negro race reside, realize that their children are in urgent need of the benefits of this program. Our people want them to have those benefits; I want them to have those benefits.

I regret very much to see injected into the subject matter of this bill something which I believe is entirely unnecessary to consider and which if it is adopted will not in any way affect the administration of the school-lunch program as it is at present being carried on. It seems to me the only effect of adopting this amendment would be to alienate some votes that otherwise might be cast for approval of the pending bill. The vote we had a while ago on the Abernethy amendment indicates that the division in the House on the subject matter is very close, and that if a few votes that otherwise would be cast for the bill should be lost on account of this amendment, the effect would be to bring about the defeat of the measure.

Now, the amendment does not mean what the sponsor of the amendment said that it did insofar as he said that it would require the expenditure of the same amount of money in the State for

children of the colored race as for children of the white race in proportion to population. It simply provides that there shall be no discrimination upon the basis of race as between schools.

We all realize that this program must be locally sponsored in any community or in any school. The parents of the school children of the participating school must be willing, to start with, that their children who are able to pay shall pay the small amounts which are charged for the lunches served to the children. There is more interest on the part of some schools than on the part of others. It would not be possible to provide that the number of children in proportion to the numbers of the races should be fed or served lunches any more than it would be possible to provide that the Baptist, Methodist, Catholic, Lutheran, or Episcopalian children should be served lunches in proportion to the numbers of those who belong to these various types of religion. You simply cannot handle that subject matter upon so strict a basis. It depends, as I said, on local sponsorship and local cooperation. There should not be any discrimination upon any basis.

This is a program for the children of the United States; and the children who need it of whatever race, color, or creed should have equally the rights and benefits of it, but, as I said, the amendment offered by the sponsor does not mean that money shall be expended according to population for the churches of the colored race as it is spent for children of the white race or other races. It simply means there shall be no discrimination between schools upon the basis of color. If that consideration is accepted, and it is what is being done already, I can see no harm from the standpoint of the carrying on of the program as it is at present being carried on and with the qualification that it means, in my judgment, what I said. I can see no objection to the amendment, although I think it is a trouble-making amendment which may endanger enactment of the bill, and I shall vote against it.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. RUSSELL. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I rise in opposition to this amendment if I correctly interpret it, and I think I do. If I have interpreted it correctly, the far-reaching effect of the amendment, should it be adopted, would be that which the author would not want.

If you will listen closely I would like to read this amendment:

Page 9, line 6, after the period, insert the following: "No funds made available pursuant to this title shall be paid or disbursed to any State or school if in carrying out its functions under this title it makes any discrimination because of the race, creed, color, or national origin of the children."

As I see it, and read it hurriedly, no one could object to those words. I think they are carried in the bill fully as it is.

Now, let us read again, and, remember, tying the other parts of the verbiage of this amendment into what is now to follow:

Or no funds made available pursuant to this title shall be paid or disbursed to any State or school if any discrimination or between types of school or with respect to a State which maintains separate schools for minority and for majority races.

As I read that phraseology I can come to no other logical conclusion, but the significance of it is this, where one school is maintained for the colored race and one for the white race, that if this amendment is adopted it will not only prevent but will deny funds to the colored race as well as to the white race in any State or in any district where the schools are separated.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. RUSSELL. I yield to the gentleman from Georgia.

Mr. TARVER. I know the gentleman is too good a lawyer, after reading the language of the amendment, to adhere to that opinion. The amendment does not provide a denial of funds to schools in States where separate schools are maintained. If it would, I would be opposed to it as strongly as the gentleman.

Mr. RUSSELL. I can only discuss it from the verbiage of it, and that is a reasonable interpretation of the words set out. I can see no other reason for those words being in there.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. RUSSELL. I yield to the gentleman from Texas.

Mr. POAGE. Who is going to determine whether there is discrimination or not?

Mr. RUSSELL. It does not say.

Mr. POAGE. Is it not going to be some Government bureau or Government agency?

Mr. RUSSELL. That is right.

Mr. POAGE. Have we not had some experience with those Government bureaus and Government agencies determining what is discrimination? Did not one of these Government agencies hold that when the Dallas News, of Dallas, Tex., carried an advertisement wanting a colored man to do certain work that that was discrimination, and that they should not say that they wanted a colored man? Is not the gentleman aware that that happened?

Mr. RUSSELL. Yes; I know that it happened.

Mr. POAGE. Well, does the gentleman think there would be any different interpretation under this verbiage? Does the gentleman think he would have a chance to get any better interpretation under this amendment?

Mr. RUSSELL. I do not think so.

Mr. POAGE. Neither do I.

Mr. RUSSELL. I think that when the courts get hold of it they will interpret it just as I have expressed my fears. I think those words ought to be deleted.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. RUSSELL. I yield.

Mr. POWELL. The gentleman from Texas I do not think understands this amendment correctly because what he has said would not hold true if this was passed. Furthermore, the language that I have used is the exact language of the gentleman from Virginia and also the

exact language of the authors of the bill in the Senate, which bill has already passed the committee in the Senate, and which I hold in my hand, and the authors of the bill in the Senate, I am sure, would not want such a condition to obtain, because they are the eminent Senator from Georgia and the eminent Senator from Louisiana.

Mr. RUSSELL. In the construction of the English language, I know of no better way than to apply the reasonable test to it and judge the language from its import and punctuation as it is written. I have seen in my day verbiage of this same kind, written and punctuated just as this, where the higher courts or the courts of last resort, held just as I have construed my fears with reference to this amendment.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. KNUTSON. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. RUSSELL. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. We discussed the text of the amendment in our committee. The question arose with many of us that if that provision were left in the bill there might be discrimination raised by some governmental agency on the point and funds would be denied the State for any purpose. That is one of the main reasons why that proviso was taken out of the bill. No member of the committee wanted any discrimination for the reasons indicated in the gentleman's amendment, so we thought it best, in order to get the legislation out of the committee, to bring it out in its present form, and that point is not raised. We do not believe there will be any discrimination as a result of the language in the bill.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. RUSSELL. I yield to the gentleman from Minnesota.

Mr. KNUTSON. I have read the amendment and place the same construction on it as does the gentleman from Texas. I think that therein lies the merit of the amendment, in that it proposes to do away with all segregation.

Mr. RUSSELL. I thank both gentlemen for their remarks. I am taking this time to try to correct what I consider to be a serious error, if I am correct, and I am constrained to believe I am, that the inclusion of this clause will do that which the author of this amendment does not want, because there are too many States, as he admits, that maintain separate schools for the races. The colored people are my friends, and I want them to have the benefit of these funds. I know in the main they need it more, perhaps, than some of the others do, but I want them to have it. However, if my fears are correct, this amendment will not bring about the result.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. RUSSELL. I yield to the gentleman from North Carolina.

Mr. COOLEY. If the gentleman is not correct, is there any reason why the author of the amendment should not clarify it by eliminating that part of it which has now been brought into question?

Mr. RUSSELL. I think so. I do not think anybody wants any discrimination here against any child or children.

Mr. COOLEY. Certainly not.

Mr. RUSSELL. I certainly would not. I would fight to the bitter end for them regardless of their color.

Mr. COOLEY. Likewise, none of us wants any State discriminated against because it maintains separate schools.

Mr. RUSSELL. We do not want any State discriminated against because of some Federal bureau.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. RUSSELL. I yield.

Mr. POWELL. The gentleman proposes, then, that if the last part of this amendment is withdrawn his worries would not be as acute as they are now?

Mr. RUSSELL. No; certainly not. I think outside of that the amendment is covered by the bill.

Mr. POWELL. In order to satisfy the gentleman from Texas, I would be happy to strike out of my amendment all the words that follow "color"; that is, from "color" on.

Mr. RUSSELL. I thank you.

Mr. POWELL. Mr. Chairman, I ask unanimous consent that my amendment be reformed to read as follows:

Page 9, line 6, after the period, insert the following: "No funds made available pursuant to this title shall be paid or disbursed to any State or school if in carrying out its functions under this title it makes any discrimination because of race, creed, color, or national origin of children."

Mr. KNUTSON. The gentleman will nullify his amendment if that is done. He will defeat the very purpose he is trying to accomplish.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. ABERNETHY. I object, Mr. Chairman.

Mr. BENDER. Mr. Chairman, I offer a substitute amendment to the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. BENDER as a substitute for the Powell amendment: "No funds appropriated under the provisions of this act shall be apportioned to any State wherein there is maintained under the laws of such State separate schools for the education of children of different color, or wherein there is exercised any racial discrimination or segregation of pupils on account of color."

Mr. BENDER. Mr. Chairman, when the gentleman from New York offered his amendment, I am sure this is what he must have had in mind. At least, that is my understanding of what he was attempting to accomplish with his amendment. If that is so, let us not mince words. Let us say exactly what we mean. Since that is what I believe he

has in mind and since that is what I would frankly think he would want to accomplish, let us vote on the amendment the way it was intended and in the form in which I am very anxious to support such an amendment.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield to the gentleman.

Mr. POWELL. I assure the gentleman that the language of his amendment does not in any way support the purpose of my amendment.

Mr. BENDER. What is the purpose of your amendment, may I ask?

Mr. POWELL. The purpose of my amendment is not in any way to alter existing educational patterns. The purpose of my amendment is to assure that where there are separate schools or even where there are not separate schools, the money allocated for the school-lunch programs shall be allocated fairly to all people without regard to race, creed, color, or nation of origin.

Mr. BENDER. Does the gentleman approve of existing patterns?

Mr. POWELL. I do not, but that is not the subject before the House now.

Mr. BENDER. Then since a vote on the gentleman's amendment cannot be interpreted as a vote for the pattern as it should be, obviously this amendment would accomplish the very thing that he would want to accomplish and surely should support it.

Mr. POWELL. Your amendment would not in any way alter existing educational patterns. It would merely mean that in a majority of the States of this Union, both North and South, the children of the States, black and white, would go without the free-lunch program. That is what it means.

Mr. BENDER. I am sure the gentleman is reading the very thing into this amendment which some of the gentlemen were reading into his amendment. However, all of you gentlemen, and the gentleman from New York, have the privilege of voting an amendment down if you so choose. That is your privilege. I take no issue with that at all. However, since the gentleman agrees that he is opposed to this practice, here is his opportunity and the opportunity of every Member of the House to say so and say so frankly by a yea or nay vote.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield.

Mr. POWELL. A few months ago when we had the work-or-fight bill before the House, a trick was resorted to then not to support or defeat the bill but merely to gain a partisan point of view by playing on racial prejudices. I took the floor here that day and defeated the motion which came from your side of the House. I say that you are doing the same thing right now.

Mr. BENDER. I charge the gentlemen through the trick that he perpetrated on that occasion with defeating FEPC in the work-or-fight bill. I charge the gentleman that through his speech in charging bad faith to the gentleman from Massachusetts who at no time was interested in partisanship but was interested in an amendment which would

have improved the bill and would have provided the means for the thing that the gentleman from New York professes to support in the fair employment practices amendment.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I do not yield further. I think the gentleman is most unfair in the statement he makes as he was unfair on that occasion. I disagree with the gentleman violently in making the charge that he did on that day regarding my colleague the gentleman from Massachusetts [Mr. CLASON], who was most sincere and desired that at every opportunity the principle should be established and made a part of the legislation that was up for consideration. So on this occasion I have endeavored to do the very thing that the gentleman has professed, and I take this opportunity to urge upon the membership of the House to act favorably on my substitute amendment.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. BENDER] has expired.

Mr. FOLGER. Mr. Chairman, I offer an amendment, which I send to the desk.

Mr. VORYS of Ohio. Mr. Chairman, a point of order.

Is the amendment to the substitute pending?

The CHAIRMAN. The Clerk will report the amendment, and we will find out what it is.

The Clerk read as follows:

Amendment offered by Mr. FOLGER to the Powell amendment: After the word "children", in line 5, insert a period, and strike out the remainder.

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 minutes.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. FOLGER. I yield.

Mr. VORYS of Ohio. The inquiry is, How can this amendment be pending at the same time a substitute for the amendment is pending?

The CHAIRMAN. For the reason that it is an amendment to the original amendment and not to the substitute.

Mr. TARVER. Mr. Chairman, may we have the Powell amendment read as it would be amended if the amendment offered by the gentleman from North Carolina [Mr. FOLGER] is adopted?

The CHAIRMAN. Without objection, the Clerk will report the Powell amendment as it would be amended by the Folger amendment.

The Clerk read as follows:

On page 9, line 6, after the period, insert the following: "No funds made available pursuant to this title shall be paid or disbursed to any State or school if, in carrying out its functions under this title, it makes any discrimination because of race, creed, color, or national origin of children."

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 minutes in support of his amendment.

Mr. FOLGER. Mr. Chairman, I am interested in seeing this bill passed, and I am not interested in the politics of it or an attempt to make a political issue out of it. I think it is too important to

all of our races, all of our people, and all of our children that such beneficent provision be made that I would not inject political considerations into it.

I am sure when you consider this, and I will read it again, if you will listen to it, there will not be anybody on this floor or in this Committee who would object to it:

No funds made available pursuant to this title shall be paid or disbursed to any State or school if, in carrying out its functions under this title, it makes any discrimination because of race, creed, color, or national origin of children.

Now, that contemplates everything that could be desired—everything that the author of this bill desired and the purposes he had in mind in introducing it.

I regret very much to see an effort made to sabotage this bill by offering amendments or suggestions, the basis of which have some political advantage. We are definitely interested in the colored children, in the white children, the Indian children, and all of the other children in the United States.

Mr. CURTIS. Mr. Chairman, will the gentleman yield for a brief question?

Mr. FOLGER. I yield.

Mr. CURTIS. Under your amendment is segregation discrimination?

Mr. FOLGER. No; and it never has been a discrimination in any particular and never will be. There is quite a difference between segregation and discrimination.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. FOLGER. I yield.

Mr. BRADLEY of Pennsylvania. Is the gentleman sure that under the language of his amendment there is not the possibility that a situation will develop due to an interpretation of the courts that funds might be entirely taken from these States and thus deprive both white and black children of these lunches?

Mr. FOLGER. That is only imaginative as applied to this bill, in my opinion. I cannot believe there is a man on earth who would be so sorry as to engage in such a thing.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. FOLGER. I yield.

Mr. MURDOCK. Is it the gentleman's understanding that the amendment offered as a substitute by the gentleman from Ohio [Mr. BENDER] would deny funds to the school in any State where schools are segregated or where there is any degree of segregation?

Mr. FOLGER. I must answer the gentleman by saying that I did not pay much attention to the amendment because I was very much wedded to the purpose to get this bill through for the health of the children of this country, and not in other considerations.

Mr. MURDOCK. I, too, am wedded to the same purpose. However, it seems to me plainly the intent of the Bender amendment to penalize States with separate schools, and I think that is the object of the substitute amendment. Therefore if the Bender amendment is made a part of the law no State with any segregation can receive these funds.

Mr. FOLGER. I would not say that; I do not know.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. FOLGER. I yield.

Mr. MILLER of Nebraska. Does the gentleman's interpretation of the word "discrimination" provide for segregation of colored people riding in trains? Would that be discrimination?

Mr. FOLGER. Now, I am surprised, I am astonished that questions of that nature should be asked when we are dealing with a provision to help the children of the United States regardless of race, creed, color, or national origin of the children. It has got nothing to do with riding on trains or anything else; it is a provision for the protection and the equality of treatment of all children in the United States regardless of any of these considerations in providing food as we have done heretofore.

Mrs. LUCE. Mr. Chairman, will the gentleman yield?

Mr. FOLGER. I yield.

Mrs. LUCE. I assume that by the words "any discrimination" in the gentleman's amendment he means any discrimination in the providing of food under this bill. Is that correct?

Mr. FOLGER. That is correct; that is all we are dealing with in this bill.

Mrs. LUCE. Will the gentleman yield for a further question?

Mr. FOLGER. I yield to the gentleman from Connecticut.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the gentleman from North Carolina may proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mrs. LUCE. If discrimination should be practiced in the disbursal of these funds it might well be discrimination against Italian, Hungarian, Jewish, or Negro groups. But if this discrimination is practiced, one must assume it will not be the children who practice it. Is that right?

Mr. FOLGER. Sure.

Mrs. LUCE. It will be someone else. Now, why should the children in any State be penalized by being deprived of food for a discrimination practiced by their elders, perhaps for political reasons?

It seems to me that if you must have a punishment for discriminating against one set of children you ought not punish all children for it. So please invent another punishment for discriminating against these children.

Mr. FOLGER. Theoretically, Mr. Chairman, I think the gentlewoman—and I like that word better than I do "gentle lady"—

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. FOLGER. I will yield, but let me first answer this question—theoretically, I think the gentlewoman has uttered a thought that might be given consideration, but as a practical working matter I do not believe it is important and I

think the Government would probably be going into policing things a little too much if it went into too fine detail. It must be remembered that this is a program to help the health of all the children.

Mr. FLANNAGAN. I have checked into this matter very carefully with those who have been in charge of the program and I am advised that since the program was inaugurated 10 years ago not one single complaint has been made with respect to discrimination on account of race, color, or creed. No discrimination is made in the bill as drawn, and under the gentleman's amendment I do not think you would change in any way the net result of the present language in the bill.

Mr. FOLGER. I think the gentleman is correct. That is my experience in my own State and I think that is the experience in the other States; that is, not to make discrimination on account of any of these things; but since the matter has come up I think that this amendment I have offered is one that can well be accepted by everybody.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. FOLGER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Is there any doubt in the gentleman's mind that if the Bender amendment is adopted the results of it will be very harmful to the passage of the bill that is now before the House? Notice I did not say "intent" but I say the results of it will be very harmful. In other words, no matter what the intent is, the results of the amendment are unfriendly to the pending bill.

Mr. FOLGER. I agree with that entirely and that is the reason I have offered my amendment. That is the reason I made the observation that this is one bill and something else may be another, if you want to go into it later on.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. FOLGER. I yield to the gentleman from Michigan.

Mr. DONDERO. If what the majority leader has said about the Bender amendment is correct, what would the gentleman from North Carolina say about the amendment offered by the gentleman from New York [Mr. POWELL]?

Mr. FOLGER. I would say that it involves a little more burden, it is a little bit hard to interpret and it does not accomplish any more than I think my amendment will accomplish in reality and honestly.

Mr. McCORMACK. The gentleman from New York [Mr. POWELL] expressed his willingness to accept an amendment to his amendment and submitted an unanimous consent request which was objected to. The gentleman from North Carolina who has the floor offers an amendment to strike out the language which nobody seems to have any uncertainty about and nobody seems to be in disagreement about so far as the language that is left; but if the substitute offered by the gentleman from Ohio is adopted the result of it will be the same as if it were offered from an unfriendly angle. It is very harmful to the bill.

Mr. FOLGER. I yield to the gentleman from New York on that point and inquire if the amendment is agreeable to him?

Mr. POWELL. Yes. I originally proposed it when the gentleman from Texas [Mr. RUSSELL] had the floor, but someone objected to the unanimous consent request.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. FLANNAGAN. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. On all pending amendments?

Mr. FLANNAGAN. On this amendment, the Powell amendment, and all amendments thereto.

The CHAIRMAN. The question is on the motion offered by the gentleman from Virginia.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, as I understand the situation, the gentleman from North Carolina has offered an amendment to strike out the last sentence of the amendment offered by the gentleman from New York which the gentleman from New York had previously asked unanimous consent to have eliminated. That request was objected to from the majority side of the House.

I have no racial prejudice. It so happens that I was born in Europe and over there they do not have these racial differences that afflict our people in this country.

If the Powell amendment remains in its original form I shall vote for it. I shall certainly vote against cutting the heart out of the Powell amendment, as the gentleman from North Carolina proposes. Either this thing is right or it is wrong. Personally, I believe that all Americans should be treated alike when it comes to receiving benefits from the Federal Treasury.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Is the gentleman in favor of the passage of the bill?

Mr. KNUTSON. I am against the passage of the bill.

Mr. McCORMACK. Exactly.

Mr. KNUTSON. Exactly, because I do not believe in looting the Treasury like some gentlemen that I might mention by name.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Ohio.

Mr. BENDER. The gentleman from Massachusetts made reference to me. I have been tested under fire, as far as this legislation is concerned. I have always voted for this program, and my amendment definitely, without reservation, brings the issue before the House as it should be. Now, if politics are being played, they are being played on the other side of the House.

Mr. KNUTSON. Why, of course, the gentleman from Ohio is absolutely right; there is no politics involved that I can see. The gentleman from Massachusetts asked if I was in favor of the bill. I am in favor of school lunches but I want the States and local communities to furnish the school lunches, because there is not a State treasury but what is in a much better condition to carry this expense than is the Federal Government. Do not forget, gentlemen, that the national debt is now about two hundred and eighty thousand million dollars. We are scraping the bottom of the bin—yes, and it is about time that we stop, look and listen. I talked to the gentleman from Michigan [Mr. ENGEL] today, and he told me that there are authorizations coming up before his committee that will run into the billions of dollars. Our committee brought out a tax reduction bill last fall, and Congress passed it. The American people are looking for yet further reductions. You cannot have tax reductions if you keep on loading needless expenditures like this onto the Federal Treasury. Let the States do their work and their duty and let them stop looking to Washington to do for them the things that they should do for themselves.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Massachusetts?

Mr. BATES of Massachusetts. Is it not a fact that the States and the various communities of this country are financially better off to assume this burden today than they have been for the last 25 years?

Mr. KNUTSON. Infinitely better. But they have become accustomed to look to Washington to do the things that they should do for themselves. Let us return to that system of government which was originally intended by the founding fathers.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Chairman, the spectacle of the gentleman from Minnesota [Mr. KNUTSON], in his attempt to assume the role of a statesman has been dissipated by his own utterances and his own position during the last few minutes. The gentleman talks about politics in response to the observation made by the gentleman from Ohio [Mr. BENDER] and says it is on the Democratic side. Then I asked him a simple question, Was he in favor of the bill? and he said "No." But he is in favor of any amendment that will be destructive of the bill, and that, of course, despite his protestations of innocence, convicts him of his state of mind on the question of playing politics. He certainly is engaging in politics, trying to ride two horses at the same time on this question. So far as the gentleman from Ohio [Mr. BENDER] is concerned, I accept every statement the gentleman made, and my observations were not inconsistent with what he said. I was very careful to say, "the results." I emphasized not the intent. I did that particularly. So the gentleman's observations are inconsistent with what I said if my remarks were interpreted cor-

rectly, because I accentuated the fact that the results would be the same as if the amendment was unfriendly. I know the gentleman does not have an unfriendly intent.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Virginia.

Mr. FLANNAGAN. The language in the amendment offered by the gentleman from New York was taken literally from the bill, S. 962, a school-lunch bill introduced in the Senate by Senators RUSSELL and ELLENDER. Those two Senators are the authors of that language and approve of it, because I have been in consultation on more than one occasion with them with respect to the language in this measure. I would just like the Members to know that that language was prepared by Senator RUSSELL, of Georgia, and Senator ELLENDER, of Louisiana.

Mr. McCORMACK. This bill is for the purpose of helping certain school-children who need it. Let us not lose sight of that fact and bring other questions in that belong in another bill on another day. The amendment offered by the gentleman from Ohio [Mr. BENDER], I predict, as surely as I am standing in this well now, will be supported by everyone who is opposed to this bill. I predict that when they stand up everyone opposed to the bill will vote for the Bender amendment. Then after it is adopted, if it is, they will vote to adopt it in the House. I predict that the adoption of that amendment will imperil the passage of the pending bill. As a matter of fact, we would be better off if both amendments were defeated, for the purposes of this bill. However, if one is going to be adopted, the amendment offered by the gentleman from New York [Mr. POWELL], who is willing to accept the amendment offered by the gentleman from North Carolina [Mr. FOLGER], is the amendment that should be adopted.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. POWELL. The gentleman from Massachusetts may be assured that I am supporting the Folger amendment, because my purpose in offering the amendment is not to change the existing school patterns. If the gentleman from Ohio is honest about his amendment, he will introduce a bill to do that, and I will support such a bill. I am interested only in seeing that the school lunch money is apportioned to all people, majority and minority. That is the only purpose I have now. If the gentleman is serious about changing the school pattern, I will go with him, but not on this bill.

Mr. McCORMACK. Without regard to the wisdom or unwisdom of the gentleman from New York in offering the amendment, the gentleman from New York is absolutely correct in his state of mind. He has shown it in this debate and he has shown it in his willingness to ask unanimous consent that his amendment be amended. He showed it before and he has shown it now in his willingness to accept the amendment offered by the gentleman from North Carolina. The best thing would probably be to de-

feat them all, but in any event to defeat the amendment offered by the gentleman from Ohio, and, if one is going to be adopted, to accept the amendment offered by the gentleman from North Carolina [Mr. FOLGER].

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. All time has expired.

The question is on the amendment offered by the gentleman from North Carolina [Mr. FOLGER] to the amendment offered by the gentleman from New York [Mr. POWELL].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Ohio [Mr. BENDER] to the amendment offered by the gentleman from New York [Mr. POWELL].

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. POWELL], as amended.

The question was taken; and on a division there were—ayes 114, noes 48.

So the amendment was agreed to.

The Clerk read as follows:

MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 108. (a) States, State educational agencies, and schools participating in the school-lunch program under this title shall keep such accounts and records as may be necessary to enable the Secretary to determine whether the provisions of this title are being complied with. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of 5 years, as the Secretary determines is necessary.

(b) The Secretary shall incorporate, in his agreements with the State educational agencies, the express requirements under this title with respect to the operation of the school-lunch program under this title insofar as they may be applicable and such other provisions as in his opinion are reasonably necessary or appropriate to effectuate the purposes of this title.

(c) For the purposes of this title, (1) "Secretary of Agriculture," during the existence of the War Food Administration, shall mean the War Food Administrator; (2) "State" includes the District of Columbia, Territory of Hawaii, Puerto Rico, Alaska, and the Virgin Islands; (3) "State educational agency" means, as the State legislature may determine, (a) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (b) a board of education controlling the State department of education; except that in the District of Columbia it shall mean the Board of Education, and except that for the period ending June 30, 1947, "State educational agency" may mean any agency or agencies within the State designated by the governor to carry out the functions herein required of a State educational agency; and (4) "nonprofit private school" means any private school exempt from income tax under section 101 (6) of the Internal Revenue Code, as amended.

(d) If, in any State, the State educational agency is not permitted by law to disburse the funds paid to it under this title to nonprofit private schools in the State, or is not permitted by law to match Federal funds made available for use by such nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under section 102 of this title the same proportion of the funds as the number of

children between the ages of 5 and 17, inclusive, attending nonprofit private schools within the State is of the total number of persons of those ages within the State attending school. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within said State for the same purposes and subject to the same conditions as are authorized or required with respect to the disbursements to schools within the State by the State educational agency including, but not restricted to, the requirement that any such payment or payments shall be matched, in the proportion specified in section 104 for such State, by funds from sources within the State expended by nonprofit private schools within the State participating in the school-lunch program under this title. Such funds shall not be considered a part of the funds constituting the matching funds under the terms of section 104 or section 202 (c).

(e) The funds apportioned to nonprofit child-care centers shall be disbursed by the Secretary directly to nonprofit child-care centers for the same purposes and subject to the same conditions, except the requirements as to the method of apportionment set forth in section 102, as are authorized or required with respect to disbursements to schools within the respective State, including but not being restricted to the requirement that any such payment or payments shall be matched in the proportion specified in section 104 for such State for such year by funds from sources within the respective State expended by nonprofit child-care centers within that State participating in the school-lunch program under this title. The funds from sources within the State expended under this title by such nonprofit child-care centers shall not be considered as a part of the funds, from sources within the State, constituting the matching funds of public schools or nonprofit private schools in that State.

Mr. LANHAM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not think it is the function of any Member of this body to criticize another Member with reference to the exercise of his judgment concerning matters of legislation which come before us for consideration, but I do think that each Member is entitled to full respect for his conscientious, independent opinion deliberately reached after careful study.

It do not know to what extent you may be interested in antiques. By the term "antiques" as I am now using it, I do not refer to that substantial furniture which was built by the pioneers and which has been initiated with inferior materials, the products being called antiques, but in truth of very recent manufacture.

Not long ago I ran across an antique which interested me very greatly. It was an American antique. It was documentary in character. In looking at the title of it I discovered that it was termed the Constitution of the United States and it was printed in understandable English. I was interested to read its provisions and I noticed that it set up a form of government of a representative nature, based upon democratic principles; that it created a central government, and to that central government accorded very limited powers with reference to its operations. The remainder of governmental powers was left in the States.

Now, we have lately observed in the philosophy of the government of human beings advocated by certain groups some more modern antiques, not so substan-

tial, and not so stable in my judgment as those which were constructed by those pioneer fathers, because when I delved into the history of this country that was established under that American documentary antique, I discovered that for a century and a half in following those principles, the people prospered; they were happy; they enjoyed the blessings of liberty; they were free, without undue regimentation, to carry on their own pursuits. It seems that in the further history of this great country, in the later days, new philosophers have arisen, preaching doctrines that are quite at variance with those contained in that documentary American antique known as the Constitution of the United States.

For instance, it is proposed that the small businessman shall not be allowed to hire anyone in his employ unless someone in the Central Government gives the O. K. to his purpose.

It has been proposed, and I understand has passed one of the bodies of the Congress which was established under this Constitution of the United States, that the 48 States be deprived of the privilege of determining the qualifications of electors.

Many and varied have been the proposals of centralization rather recently made, at complete variance with that original fundamental document, but in keeping with policies which have wrecked certain foreign nations.

The CHAIRMAN. The time of the gentleman from Texas [Mr. LANHAM] has expired.

Mr. LANHAM. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LANHAM. Those recent suggestions, some of them adopted and others proposed, without the formality prescribed in the Constitution for amendment of that document, are gradually changing our entire form of government as it was prescribed in that ancient, fundamental American paper.

Now we have more or less chaos and uncertainty among our people with reference to just what "liberty" means, and to just what extent the powers and privileges they once enjoyed are being taken from them.

We have before us now, not as an emergency matter, but as a proposal for permanent legislation, a recommendation that we start to feed a certain portion of the people on the understanding and assumption that fathers and mothers no longer know how to look after their children and are not sufficiently interested in their welfare, and this proposal comes at a time when we have no large supply of surplus foods. This course could well go on to the matter of providing clothing and other things that might be necessary to be used in the various households, and then we might extend it beyond the children to the people in general.

If this is to be adopted, if we are to continue this policy and practice of further centralization of the rights of the people that strip them of their funda-

mental liberties, I want to join with those who are urging that this next title that we are going to consider be eliminated from this bill. That is the title which would put the administration of this matter in the hands of the Office or Bureau of Education. I am a member of the Committee on Education and have the pleasure of serving on that committee with some very eminent gentlemen of each political party from all sections of the United States. I believe if you will consult with the members of that committee you will discover that it has been brought very forcefully to their attention in the matters which have come before that committee for consideration that there is a very definite and a very positive desire and purpose upon the part of some, at least, of those in the Office of Education to make inroads into our public-school system and eventually in this process of centralization to take control of our educational system.

I believe that the Office of Education should be restricted to the purposes for which it was created.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. No; I have just a few moments and I should like to continue this line of thought just a little.

In the investigations that have been made by the Committee on Education, and especially in the research by certain members of that committee, many things have been brought to our attention which are far afield from the purposes for which that Bureau was originally established. They get out documents upon all kinds of subjects. By means of various programs throughout this country they preach their propaganda, which is designed to let the educational interests of the country know that they have a great guardian father who is going to look after them from centralized Washington and dictate their courses of procedure.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. LANHAM asked and was given permission to revise and extend his remarks.

Mr. FLANNAGAN. Mr. Chairman, I have two committee amendments which are at the desk.

The Clerk read as follows:

Committee amendment offered by Mr. FLANNAGAN: Page 9, line 24, and page 10, lines 1 and 2, delete the words "Secretary of Agriculture during the existence of the War Food Administration shall mean the War Food Administration" and insert the following: "'Secretary' means 'the Secretary of Agriculture of the United States.'"

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. FLANNAGAN].

The amendment was agreed to.

Mr. FLANNAGAN. Mr. Chairman, I offer another committee amendment.

The Clerk read as follows:

Amendment offered by Mr. FLANNAGAN: Page 10, line 12, delete the date "June 30, 1947" and insert the date "June 30, 1948."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. FLANNAGAN].

The amendment was agreed to.

Mr. POAGE. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, it is with a great deal of regret that I find it necessary to rise now and suggest that this bill is at this time in a condition where I cannot support it, even though I realize that the Agricultural Committee did do a long and I think a splendid piece of work in trying to bring out a fair, well-rounded bill.

The measure was considered from every angle in that committee. Everything I wanted was not put in the bill and some of the things I did not want were inserted, but I had resolved, as I am sure most of the members of that committee and most of the Members of this House had, that we were going to support this bill in an effort to continue a program that has been of great value to the children of America. I still hope to support such a program if the majority of this House will let me. But there was an amendment adopted here by a standing vote a while ago that every Member of this House knows was calculated to make it impossible for those of us who come from the Southern States, where we maintain separate schools for the different races, to vote for the bill. The supporters of that amendment say that they are for the bill. If they are, they showed their friendship in a strange and unnatural manner. They offer an amendment which they say will have no effect, but which they know will kill the bill.

If this amendment is actually meaningless as they say it is, why did they insist on inserting it? If it actually has any meaning, what can that meaning be except that they want no money spent in any State that maintains separate schools for white and blacks? If it means anything at all, it means that no Southern State will get a cent for either whites or blacks. If it is meaningless, the best that can be said for it is that it is an attempt to fool somebody. Who are they trying to fool; the colored people of the northern cities or the entire citizenship of our Southern States? I am not going to assume that the gentlemen who voted for this bill did so with the idea of making any group believe that this amendment would mean something when they knew it had no meaning. No, my friends; I accept the good faith of those who voted for the amendment, and accepting their sincerity I can only conclude that the amendment means something—and that something is that no State which maintains separate schools would get any money from this bill.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to my distinguished chairman, the gentleman from Virginia.

Mr. FLANNAGAN. The language which the gentleman has put a certain construction on was prepared by southern Senators, Senator RUSSELL, of Georgia, and Senator ELLENDER, of Louisiana.

Mr. POAGE. If I may be pardoned for using a rather expressive phrase, I would ask the gentleman "So what?" The gentleman's observation might be very interesting if the distinguished gentlemen to whom he has referred were to

be in a position to interpret this bill when it becomes law, but, unfortunately, the interpretation will be in other hands.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Is it not true, for the RECORD, that the same bill introduced by the two gentlemen in the Senate was also introduced in the House?

Mr. POAGE. That is right; it was considered in the Agricultural Committee and that language was turned down by an overwhelming vote.

Mr. WHITTINGTON. Who prepared it for the Senators and for the Members of the House,

Mr. POAGE. I have not the slightest idea.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. Yes; I yield to the gentleman.

Mr. FLANNAGAN. I can tell the gentleman who prepared that language. Senator RUSSELL prepared it, and it was agreed to by Senator ELLENDER and myself.

Mr. POAGE. In all kindness, may I again inquire, "So what?"

Mr. FLANNAGAN. So that was not the construction we placed upon it.

Mr. POAGE. Unfortunately, if this bill passes with the language in it that it now contains, neither my distinguished chairman nor the eminent Members of the other body will have the opportunity to interpret the construction of the bill. It will be interpreted by some bureau or some bureaucrat, some appointive officer, and that appointive officer, whoever he may be—and I make no charges as to any individual—is going to be subject to exactly the same kind of political pressure to which this House yielded so recently.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Perhaps he will be a pink.

Mr. POAGE. I do not know what he will be, but I do know he will be subject to the same political pressure that was applied to this House. I do know that he will be pressured continuously to hold to the opinion that the author of this amendment is quoted in the public press to have so recently expressed when the newspapers of this country stated that the author of the amendment had stated that "Segregation and separation is discrimination." Now, I know that the author of this amendment stated here in the last few minutes that that was not his view. I am not going to question what his views are today or what they were 2 weeks ago, but I know his statement of his views today does not coincide with the view he is reputed to have expressed on this subject in a very recent public statement. I would not try to keep up with the author's views but I think that I can safely predict what the views of some of these bureaus and agencies are going to be months and years from now, and I know they are going to be the same as those attributed to the author of this amendment before he got

in the hole here on this floor and had to back water in order to keep a clear, unambiguous substitute from being adopted for this amendment which other supporters now try to tell us is meaningless. I cannot forget that within the last month the very author of this amendment which prohibits discrimination was quoted in the press as having stated that "Segregation is discrimination." And while I do not agree with that view; while I do not favor discrimination nor do I know of any discrimination, as I would interpret the term, I would not have the power of interpretation and when some bureau or later some court attempts to interpret the term they will find that the very author of this prohibition against discrimination has publicly stated that segregation is discrimination. In the face of this, what interpretation would you expect?

Mr. BROOKS. Will the gentleman yield?

Mr. POAGE. I yield.

Mr. BROOKS. Does not the gentleman feel that this is the opening wedge for Federal supervision of education?

Mr. POAGE. It is Federal supervision. It is not an opening wedge. It is Federal supervision. It is control by a Federal bureaucracy and it cannot be interpreted as being anything else.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. POAGE. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. GALLAGHER. Mr. Chairman, I object.

Mr. RANKIN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. RANKIN. To make an objection a Member has to rise to object.

The CHAIRMAN. The point of order is well taken.

Mr. POAGE. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. O'BRIEN of Illinois. I object.

Mr. TARVER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am just as strongly opposed to any movement which would interfere with the separate schools maintained in the South for the white and the colored races as is the gentleman from Texas. I did not vote for the amendment which has been adopted here, and yet at the time I pointed out that that amendment could not possibly be reasonably construed to have any effect upon the separation of the children of the races in the schools of the South. I shall not permit myself to be hoodwinked by the enemies of this legislation into voting against it as they would like to have me do, and like to have the gentleman from Texas do, by adopting any such arguments as those which he has undertaken to advance on this floor. There is not a lawyer in America who is worthy to be called a

lawyer but who knows that the adoption of this language neither adds to nor takes from a single item of the substance of this bill.

Mr. RUSSELL. Mr. Chairman, I demand that those words be taken down.

The CHAIRMAN. The Clerk will report the words objected to.

The Clerk read as follows:

Mr. TARVER. There is not a lawyer in America who is worthy to be called a lawyer but who knows that the adoption of this language neither adds to nor takes from a single item of the substance of this bill.

The CHAIRMAN. The Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JACKSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes, certain words used in debate were objected to and on request were taken down and read at the Clerk's desk, and he herewith reported the same to the House.

The SPEAKER. The Clerk will report the words objected to.

The Clerk read as follows:

Mr. TARVER. There is not a lawyer in America who is worthy to be called a lawyer but who knows that the adoption of this language neither adds to nor takes from a single item of the substance of this bill.

The SPEAKER. The Chair is compelled to hold with reference to this language that it is an opinion expressed by the gentleman from Georgia which does not reflect upon the character of the gentleman from Texas or any other Member.

The Committee will resume its sitting.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 3370, with Mr. JACKSON in the chair.

Mr. TARVER. Mr. Chairman, the language reads as follows:

No funds made available pursuant to this title shall be paid or disbursed to any State or school if, in carrying out its functions under this title, it makes any discrimination because of race, creed, color, or national origin of children.

It was placed in the bill by my distinguished Senator. Perhaps I had better withdraw that statement since I am not allowed to make reference to Members of another body. But is there any man here from the South who insists that in his State in the use of these funds discrimination is being made against a school on the basis of color? It is not being so made in the State of Georgia. I say that this language neither adds to nor detracts anything from the substance of this bill.

So far as I am concerned, I want the Negro children of the South to have the benefits of this bill as I want the white children to have them. I know they have had them for 10 years. I know that there has been no discrimination against them. I know that the insertion of this language was entirely un-

necessary, but because the language has been inserted by those who are the enemies of this legislation and want to see nothing at all enacted on this subject, I am not one to let them by in direction control my actions and get me to vote against a measure I favor by that sort of subterfuge.

Mrs. LUCE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. LUCE of Connecticut: On page 12, line 9, add a new paragraph (f) reading as follows:

"The term 'child-care centers' as used in this title shall include nonprofit foster homes and orphanages."

(Mrs. LUCE asked and was given permission to revise and extend her remarks.)

Mrs. LUCE. Mr. Chairman, I rise to offer an amendment on the inclusion of orphanages and foster homes in the provisions of this bill. Now, I am in hearty accord with the provisions as amended up to this moment of title I of this bill. It seems to me that we must all keep our eye on the basic purpose of the bill which is to improve the health of tomorrow's citizens by providing food for school children. Now, there is no Member of this House who is more eager than I am to stop the trend toward what is referred to here sometimes as stateism, sometimes as centralized government, sometimes as totalitarian ideology, and even communism. But I must confess that I fail to see but little difference in the so-called ideology of this bill which provides Federal aid, by matching dollar for dollar with communities, for food for school children, and other programs which we have already voted for in times past in great numbers on both sides of the aisle, whereby Federal funds have been extended for harbor and river development, for highways, for unemployment-relief programs, vocational training for the disabled, and so on. If this bill is wrong in philosophy, so were they wrong, and yet we know how overwhelmingly most of them have been accepted by the Congress and the people. In any case, to those of my colleagues who are fighting the battle against stateism on the floor of this House, may I say that however justified that battle may be, I do not think they do well to try to win a minor engagement, where they have lost so many major ones, and seemingly have been content to do so, when undernourished children will fall first in this battle.

Mr. FLANNAGAN. Mr. Chairman, will the gentlewoman yield?

Mrs. LUCE. I yield.

Mr. FLANNAGAN. I do not believe there is any objection to the amendment. Certainly there is no objection so far as I am concerned.

Mr. WICKERSHAM. Mr. Chairman, will the gentlewoman yield?

Mrs. LUCE. I yield.

Mr. WICKERSHAM. The members of the committee really thought that was in the bill. In fact, the gentleman from Wisconsin [Mr. MURRAY], who is on his feet, and the gentleman from California [Mr. VOORHIS], have brought that out.

Mrs. LUCE. Then perhaps the members of the committee did not read their own committee report.

Mr. WICKERSHAM. Yes; we did.

Mrs. LUCE. The report of the committee specifically cuts out orphanages and foster homes.

Mr. WICKERSHAM. The gentlewoman is right. The report does cut it out. We think the amendment is good and we thought it was in the bill.

Mrs. LUCE. I wish to thank you so much for yielding and accepting my amendment.

Mr. DONDERO. Mr. Chairman, will the gentlewoman yield?

Mrs. LUCE. I yield.

Mr. DONDERO. Does your amendment make any distinction as to the age of the child who is in an orphanage? Suppose the child is 1 or 2 years old.

Mrs. LUCE. The children included in the orphanages would, I assume, be treated exactly according to the age provisions extended to other children in the bill.

Mr. DONDERO. But does your amendment restrict that age as to children of orphanages?

Mrs. LUCE. No; it does not.

Mr. DONDERO. The children might be 1 year old or 2 years old and still come under the amendment?

Mrs. LUCE. I believe that is correct.

[Mr. MURRAY of Wisconsin addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. WHITTINGTON. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I regret that I am unable to agree with my distinguished friend, the gentleman from Georgia [Mr. TARVER] to the effect that the amendment proposed by the Member from New York [Mr. POWELL], as modified by the Member from North Carolina [Mr. FOLGER] makes no change in section 107 of this bill or in the bill. If that amendment, as modified and adopted, makes no change, why the amendment? It is no answer to say that substantially the same language, if not identical language as far as it goes, was in the bill when it was introduced in the House by the chairman of the committee, the gentleman from Virginia [Mr. FLANNAGAN]. It is no answer to say that the same or similar language was in the bill when it was introduced in the Senate by the Senator from Georgia, Mr. RUSSELL, and the Senator from Louisiana, Mr. ELLENDER. Suffice it to say that the Committee on Agriculture in the House on further consideration struck that language out of the bill. For my part, I am prepared to believe that the distinguished Senator from Georgia, Mr. RUSSELL, and the distinguished Senator from Louisiana, Mr. ELLENDER, when the matter is called to their attention, will do likewise. Moreover, I believe, on reflection, these two Senators will insist on eliminating the language. The gentleman from Virginia [Mr. FLANNAGAN], insisted upon eliminating the language although in the bill when he introduced it. Surely the Senators will do no less than the gentleman from Virginia.

I have supported Federal aid for vocational education, but I have insisted that the spending disbursement and handling of the funds shall be made by the State agencies in every one of the 48 States of the Union without dictation from Washington. I have supported Federal aid for highways, but the spending disbursement and handling of those funds is made by the State highway commission.

The language means something. Evidently, it is because of that meaning that it was advocated by its sponsor. It states that in carrying out its functions, under this title, the State shall not make, and I quote, "any discrimination because of race, creed, color, or the national origins of the children." That phraseology is modern. That phrase "national origins of the children" does not occur in the fifteenth amendment to the Constitution. That is language that occurs in legislation that has been proposed to this House in amendments by those who oppose segregation, by those who oppose separate schools, by at least one person in the Office of Commissioner of Education who is reputed to have said, in the public press a year or two ago, or about that time, that separate schools, or segregated schools in the South, would, in the near future, be a thing of the past. The Commissioner of Education will administer this act.

I may not agree with the Honorable Henry Wallace, formerly the Secretary of Agriculture, with respect to some of his views on social and educational questions. He served as Secretary of Agriculture for 8 years. I may not agree with the distinguished Commissioner of Education on all matters, but I do insist that this language means something or certainly the members of the Committee on Agriculture would not have repeatedly rejected it.

The distinguished gentleman from Virginia [Mr. FLANNAGAN] and the distinguished gentleman from Georgia [Mr. TARVER] favor the pending bill. Apparently they are willing to accept language that they oppose. The gentleman from Virginia [Mr. FLANNAGAN] introduced the bill with the language of the amendment in it. He voted to strike it. He now says that the two Senators introduced bills with similar or identical language as far as it goes. Does not he accord to them the same privilege, on reflection, to strike and eliminate that he himself exercised? Does he think that they are any less wise than the members of the Committee on Agriculture, including the gentleman from Virginia?

Again, the bills were introduced in both the House and the Senate about the same time. Evidently they were not wholly prepared either by the Senators or by the gentleman from Virginia. They introduced the bills as a basis for hearings. The committee of the House rewrote the bill, struck out the language, and the gentleman from Virginia and the gentleman from Georgia [Mr. TARVER] voted against the amendment of the Member from New York. Many Members who favor the pending bill voted for the said amendment. I voted against the amendment. It is accurate, therefore, to say that many who favor the

pending bill voted for the amendment, while some who oppose the bill also voted for it. It is not fair to say that the amendment was only advocated by those who oppose the pending bill. Its sponsor favors the bill. They have advocated the passage of it. Any discrimination as to the distribution of funds by separate schools, or any discrimination because of race, creed, color, or national origin of children would bar the allocation or payment to the State of any of the funds. The language is broad. It is any discrimination.

For my part, I oppose Federal dictation as to the spending, distribution, and handling of funds in New York, Mississippi, or in any other State in the Union. In my judgment such a provision will mark the death knell of Federal aid if there is to be Federal dictation as to the spending distribution and the handling of the Federal-aid funds.

As I have said, the language of the Powell amendment is of apiece to identical language in other legislation calculated to promote discord among the races. Such language renders the races a distinct disservice. It is not the language of the fifteenth amendment. That language is race, color, or previous condition of servitude. The schools in the South and in all other sections of the country must be supported and must be maintained under the Constitution of the United States, but they are under the supervision of the States. When education in the States is subjected to outside influences and when the pattern of education is under the control of Washington, it will be unfortunate for the youth of the land. Those who advocate the abolition of segregation and the abolition of separate schools are rendering the races a disservice. The amendment is subject to the interpretation that funds might not be allocated to any States where separate schools exist.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. POAGE. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, a few moments ago I tried to yield to those who wanted to ask questions on both sides and my time was so largely consumed by those who asked questions that I did not get very far with what I wanted to say. I asked to proceed for an additional 5 minutes but that request was denied.

Mr. Chairman, I now ask unanimous consent to revise and extend my previous remarks at that point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Chairman, I want to say this personally to the House because I want every one of my colleagues to understand: If when we finally vote, as I hope we do, by a roll-call vote on this amendment, this House will repudiate this injection of regional politics and submit to us simply a school lunch bill, it will be my pleasure to support it as I have supported it ever since I have been here. But if this House, instead of giving us a school lunch bill, after a roll call vote, sees fit to give us a dose of

politics instead of substantial food for the children of America, I simply cannot go along with that kind of majority. And I think it is fair to say that there are many others who feel as I do on this matter. As a matter of fact, those who want to kill this bill are but following the same tactics here that were followed in the Senate, where it will be recalled a similar amendment was adopted and the bill subsequently died. If this bill is to pass this House it must pass as a school lunch bill. It should not and it cannot pass simply as a vehicle for the injection of colored children into the same classrooms with white children throughout the South.

By unanimous consent, the pro forma amendments were withdrawn.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Mississippi is recognized for 5 minutes.

(Mr. RANKIN asked and was given permission to revise and extend his remarks.)

[Mr. RANKIN addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. RUSSELL. Mr. Chairman, I move to strike out the last seven words.

(Mr. RUSSELL asked and was given permission to revise and extend all the remarks he makes today.)

Mr. RUSSELL. Mr. Chairman, for the last 5 years I have supported the school-lunch program. Although I did not agree with the basic principle set out in such legislation as that, the condition of the times and the occasion caused me to vote for it. Perhaps that is what I would have done this time. Like the rest of you, I have received a good many letters on this subject. I gave the writers my history as to what I had done heretofore and I stated that so far as I knew at this time there would be no reason to change.

The gentleman from Georgia who spoke a while ago made some remarks that undoubtedly he did not mean. I appreciate my service in this august body, I appreciate the individual membership of this august body, and I have not any brickbats to throw at any of you. If, perchance, at any time through the slip of the lip, either in argument or from overzealousness, I make some statement that reflects upon the integrity or intelligence of any Member of this body, may I apologize now in advance, and if any of you will just call my attention to it at that time I will be glad to openly and publicly apologize. A dog can commit a wrong, but it is a principle of manhood to right a wrong if you have committed it. I take pleasure, if I have ever done it, to right the wrong.

I will let others pass on my intelligence. God gave me a little common sense, and I secured some schooling. I had to walk 3½ miles to school, carry my lunch in a little tin bucket, and ate the most common of foods. Nutrition was not heard of then, although I happened to be the champion in my community among the young boys that grew up in cutting wood, doing manual labor, in wrestling matches, and on the ball team. So I do

not think I suffered from what some might call obstacles in life. After listening to some of the speeches made here one would think I was a perpetual invalid. I thank God that He gave me a little courage and a little common sense. A little while ago I spoke very hurriedly on the amendment. The remarks I made were sincerely made. I expressed my fears then, and I express them now, and I think if Members will just read the amendment over again they will come to the same conclusion I have. I see my excellent friend, the gentleman from North Carolina, over there studying it. He does not have to study it, but he is. I know what he is studying about. He is wondering about it himself, as I was wondering. So if you will indulge me just a moment I will read this amendment:

No funds made available pursuant to this title shall be paid or disbursed to any State or school if in carrying out its functions under this title it makes any discrimination—

The gentleman who offered this original amendment, and the gentleman from Ohio, who offered a substitute of what he thought the original introducer intended to mean, both in your presence and hearing, agreed that segregation of schools was discrimination. What was said and agreed to by those two gentlemen as they discussed the matter between each other, I do not know.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. RUSSELL. I yield to the gentleman from Indiana.

Mr. SPRINGER. Has it been determined who will decide when a discrimination occurs?

Mr. RUSSELL. It has not, and we have no way of knowing.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. RUSSELL. Mr. Chairman, if it is determined that segregation, and they say it is, is discrimination, then whoever handles this fund or whoever is in charge of it can deny the State of Texas any funds, to any school, and it will deprive not only the white children but the colored children of any funds at all.

Mr. COOLEY. Does not the gentleman think that in view of the adoption of the Folger amendment and in view of this discussion on the floor today, that the legislative history will clearly indicate that the maintenance of separate schools shall not constitute a discrimination as is referred to in the bill?

Mr. RUSSELL. I just do not know. The gentleman can answer his own question.

Mr. COOLEY. I am sure the gentleman is very sincere in what he has in mind by his remarks, but it seems to me that if legislative history would show anything, it would show that the maintenance of separate schools, such as exist not only in his State but elsewhere, shall not constitute discrimination within the contemplation of the act.

Mr. RUSSELL. And it does. If they want to determine and they feel that it does, they can hold that discrimination is shown by one little independent school district. If that is so, under the terms of this amendment as I construe it it will deprive the entire State of these funds.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. RUSSELL. I yield to the gentleman from Tennessee.

Mr. JENNINGS. If there is any question about it, why not eliminate the the question by sending the bill back to the committee and cutting it out? It has no place in the bill.

Mr. RUSSELL. I am in favor of killing it in that way if there is no other way.

As I said in the beginning of my membership here, I may not be a lawyer worthy of consideration by anybody, but the people where I serve at least thought I had a little intellect.

Mr. FOLGER. Mr. Chairman, will the gentleman yield?

Mr. RUSSELL. I yield to the gentleman from North Carolina.

Mr. FOLGER. Was not the gentleman's objection to the original Powell amendment directed to the latter part of it, which was stricken out?

Mr. RUSSELL. I read it hurriedly and saw the danger, but I see the danger in this. If you leave "State" in that amendment, I am sure the gentleman in all fairness, which he always shows, will agree that there is danger there.

Mr. FOLGER. Does not the phrase "in carrying out the functions under this title" limit it to that alone?

Mr. RUSSELL. "Any discrimination." It limits it to any discrimination as determined by somebody, God only knows who.

Mr. FOLGER. It is the one who determines the discrimination that the gentleman is afraid of.

Mr. MANSFIELD of Texas. Mr. Chairman, will the gentleman yield?

Mr. RUSSELL. I yield to the gentleman from Texas.

Mr. MANSFIELD of Texas. I call the gentleman's attention to the fact that many years ago when I was a county school superintendent the State superintendent of Texas ruled that the wearing of a peculiar garb of itself constituted a school a sectarian school.

Mr. BROOKS. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, if there is anything I want to vote against and fight against, it is the Federal Government's stepping in and seeking to run the schools of the several States of the United States. I have watched legislation all these years with the idea of voting against measures which would permit Federal control of the school system. I am guided to a large extent by precept and example, and by what has gone before. I do know, Mr. Chairman, that in the past we have had before this body and also before the Senate the question of Federal aid to education. Fundamentally, and in principle, I have been in favor of Federal aid to education, provided it can be worked out in such a way that the United States will not step in and control our local

State schools in the several States of the Union.

When the Federal aid for education bills came before the other body, the United States Senate, in 1943, a parallel to that which is before us arose. At that time the bill proposed to contribute some four hundred or five hundred million dollars to the several States to be used for education without the Federal Government tying any strings to the funds to be contributed. When it was being considered and was about to pass the other body Senator LANGER, of North Dakota, offered an amendment to the bill, which amendment was adopted by the Senate. I want to take this opportunity to read that amendment and to tell you what the Senate considered the amendment to mean after it was adopted and tied to this Federal aid for education bill. This is the amendment by Senator LANGER:

Provided, That there shall be no discrimination in the administration of the benefits in the appropriations made under the respective provisions of this act or in a State fund supplemented thereby on account of race, color, or creed.

When that amendment was adopted by the Senate, those Senators primarily engaged in sponsoring and trying to put through this bill to aid the schools of the several States immediately interpreted it as an amendment which would give the United States Department of Education the right to take over and regulate the schools of the several States. Immediately they turned upon the very bill they had nurtured and sponsored and brought to the floor of the Senate, and they voted to recommit it to the Committee on Education of the Senate of the United States, thereby putting it to sleep. I submit to you and to the chairman of the Committee on Education, who has so ably brought in and sponsored this bill here today, that the Langer amendment is far more restrictive and far less effective in its scope than the Powell amendment, which has been proposed and already adopted and tied to this bill. If the Langer amendment which was tied to the Federal aid for education bill in 1943 on October 20 means Federal control of education in the several States, then the amendment which has been adopted here today means Federal control in a greater degree and quicker Federal control than the Langer amendment ever contemplated should be the case. I am certainly, Mr. Chairman, against the Federal Government trying to control our schools in the towns, cities, and villages of the States of the United States.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. JENNINGS. I agree entirely with the gentleman. We might put our own construction on it, but in the last analysis the effect that is given to it will be given to it by a bureaucrat in a Washington bureau. I believe that the thing emanated from just that sort of source and it ought to go back to the committee.

Mr. BROOKS. Recently we had trouble involving the Department of Education, and there was involved the question of interpretation of the Smith-Hughes law, which has been on the stat-

ute books for 27 years. Some bureaucrat changed his interpretation of this act which had been on the books for 27 years and held up a million dollars' worth of State funds until the State set-up could be changed.

Mr. FLANNAGAN. Mr. Chairman, I move that all debate on title I and all amendments thereto close in 10 minutes.

Mr. DONDERO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DONDERO. Mr. Chairman, what is the status of the amendment offered by the gentleman from Connecticut [Mrs. LUCE]?

The CHAIRMAN. The amendment is pending at this time.

The question is on the motion offered by the gentleman from Virginia [Mr. FLANNAGAN].

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Chairman, this discussion, this controversy, this indication of sectional reaction, has disclosed, it seems to me, definitely, regardless of where we come from, that this is too big a country for the Federal Government to legislate with regard to a thing so intimate as the feeding and education of the children in the respective States. That is proposition No. 1.

I am interested in this matter from another angle. Twenty-odd years ago I offered a resolution in this House to create a commission to see if we would not get rid of some of the power that has concentrated in Washington. Nothing could be done about it. I have watched and watched and watched during the intervening almost quarter of a century for a chance for a public purpose to tackle that job. There is indication of a chance now. This bill is an influence against that chance. I recently have reprinted a statement I made 21 years ago. The subject was, Our Choice—Decentralization of Governmental Responsibility or Government by a Centralized Bureaucracy.

It is true that recently we passed the billion and a half dollar road-aid bill and the \$700,000,000 aviation field aid bill. I voted against those bills and I am going to vote against this bill. It ought to be defeated. I am not speaking as a partisan; I am not speaking as a Democrat; I am not speaking as a southerner. I am speaking as a man who has been here over 30 years and who has devoted all of his spare time trying to understand free government, popular government, and the rules and laws of nature that govern it, and what the people must do in order to preserve it.

I know as definitely as I know I live, we do not have a chance to preserve democratic government in this country unless we put back into the States the governmental power which they are capable of discharging. I know it. It is our duty to encourage the present trend in that direction. This bill shoves back toward the Federal Government. I am opposed to this proposed legislation because it runs against the present trend

in the right direction, the direction we have got to go if we are to have a chance to survive as a free people.

Recently I talked to a representative body of State officials. They were State officers from all the States. They were considering a thing they wanted to put over—and contemplated asking for money from the Federal Government. I discussed that matter with them and, for the first time, I pledge you my word, in 25 years I heard and read from representatives of States language that indicated to me that maybe the States want to tackle the job of their own responsibility. I want to read this again. I read it yesterday:

Resolved, That in the recommendations of the drafting committee of State officials of the council of State governments, that in the interest of development of State responsibilities, the States are urged to rely on their own resources and not to turn to the Federal Government for financial assistance.

What are we doing in this bill? We ought to be ashamed of ourselves. These representatives were from all the States, there was nothing sectional about them. Those were the first brave words of that sort that have rung through this Nation as far as I know, considering the source from which they came, in 25 years. We have a chance now to help them turn government back towards the people who are the governors in every democracy.

Now, what do we, the Congress, propose to do. Does it propose to help? Look at us today. Let us use common sense. The States have got control of the schools now. Do you want to lose it, or take a chance on losing it? You know the reaching out of the Federal Government toward the school system of the country. Will we be bribed by our own money to sell that control as we have surrendered others which have reduced our once sovereign States to governmental vassals? All you have to do is put the nose of the Federal camel under the tent, and he will take care of the rest of getting all the way in. We know it. Why pretend not to know it? Why pretend not to know that in the set-up of this bill we duplicate governmental expenditure, State and Federal officials working at the same job? Why pretend not to know that the Federal Government has not got a dollar, that it all has to come from the people? Why pretend not to know that the Federal powers follow the Federal contributions? Why pretend, as a matter of fact, that there is Federal contribution? Every dollar is from the people, but every dollar does not get back to the people.

The people are beginning to have more sense about the thing than we seem to think they have. Believe me, those old boys back in the forks of the creek, in the villages and the cities are beginning to get tired of this 50-50 stuff; the Federal Government and the State Government working at the same job, and the people paying the salary and expenses of two sets of governmental officials and losing their control over local matters to boot. There is an old saying that if a camel gets his nose under the tent he will do the rest of the getting in without any help. That is true of a Federal power. Our history proves it.

This bill lifts the tent and shoves the camel's nose under. Why do that? It does not make sense unless you are reconciled to having the Federal Government finally take over. You do not get a cent. The people put up every cent of the money and more besides. One hundred and seventy-five thousand dollars per annum is carried in this bill for Federal expenses and I do not know how much more. You are having all this row about losing control of your schools and taking the initial step toward their loss. It does not make sense. There is something else that does not make sense. You know you cannot maintain freedom and efficiency in the vast territory between these two oceans, dominated by a great Federal organization like we have got here. You just cannot do it. And yet we increase its power by this bill. We are making the initial sale of the control of our schools and putting up the money ourselves, obligating ourselves to pay the salary of some new officials to boss us around and attempting to justify the transaction by arguments which insult the communities, and the States, and parents of the children. They cannot be trusted it is argued.

The Federal Government does not have a dollar, and you know it. The children are in our States. They are protected by the parental love of those people and the interests of those communities. It is an arrogant, impudent assumption, not justified by the facts, for us to get up here in Congress and talk about our love of these children prompting this bill, and imposing this new burden, and launching this new movement toward Federal control, as though the people in the States did not love their children and have no governmental capacity.

Now, you people who are concerned about the effect of this bill on the power of State control. Why do you take a chance? You are now in control in the States. Get this thing started and you are subject to construction by a Federal agency which you know wants to enlarge Federal power over the schools in the States. Besides, you know that once started, their tendency is to increase the strength of Federal law. But the worse thing which is being done by this legislation, the tragic thing, is this inoculation of the youthful minds of these children with the virus of federalitis, fed to them with their food, not one penny of the cost of which was not contributed by the parents and the other people of the communities. Something for nothing from Uncle Sam. It is a terrible tragedy, especially at this time when agencies and influences like these State officials whom I have quoted are trying to reestablish their States, our States, as sovereign agencies in a free government.

Pass this legislation, have the Federal Government come in here and make these contributions to the States, take the initial step toward further establishing its power, and you will run counter to the words, the sentiment, and the prayers of these State officials who tell the States: "Keep your money and pay your own expenses." Let the States pay for this job—they pay anyway—and get the credit in the thinking and pride and

purpose of these children. That is what we need. That is what this bill discourages.

Mr. COX. Mr. Chairman, I ask to be recognized for 1 minute on a motion to strike out the paragraph.

The CHAIRMAN. The gentleman from Georgia will be recognized for 1½ minutes.

Mr. COX. Mr. Chairman, I was astounded when I came into the Chamber a few moments ago to hear my colleague the gentleman from Georgia seriously, apparently, contending that the so-called Powell amendment has no meaning. Now, my friends, if you want to be gulled, then be gulled, but I am not going to be gulled by any such contention as that. You know, I know, and everybody knows that segregation is separation.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. COX. I yield.

Mr. POAGE. I have before me Webster's Unabridged Dictionary. It defines discrimination:

That which discriminates; a mark of distinction; to separate by discerning differences; to distinguish, as "to discriminate the goats from the sheep."

Mr. COX. Of course, of course, of course. Segregation is discrimination.

If my friend wants mixed schools back in Georgia, then he will vote for this bill with this amendment in it, because that is exactly what it means.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

The gentleman from California [Mr. VOORHIS] is recognized for 1 minute and 15 seconds.

Mr. VOORHIS of California. Mr. Chairman, I did not support the amendment that was adopted because I believe it was not at all necessary, and because I was fearful that the controversy and misconceptions arising from it might hurt the bill. I agree most heartily with what the gentleman from Georgia [Mr. TARVER] said about the amendment; I think he interpreted it correctly. I do not believe the amendment will have the effect that has been charged by other Members.

Under the bill, the contracts with every local school district are made by the State agency not the Federal Government and all that would be required under this amendment would be for that State agency to certify to the Department of Agriculture that there was not discrimination in that State. The State educational agency, under the bill, and not the Department of Agriculture determines what schools are eligible to receive aid.

Every Member who speaks tells us it does not exist; tells us that there is no discrimination in his State. If that be true what harm can the amendment do? I think the amendment was unnecessary but certainly it is perfectly clear that the legislative intent of his House was that maintaining separate schools should not be regarded as discrimination, for in the action that the House took it struck from the original amendment the language that covered the matter of separate schools and, therefore, it is perfectly evident to anyone that it is the clear

intent of the House that separate schools should not constitute discrimination.

The CHAIRMAN. The time of the gentleman from California has expired.

The gentleman from Illinois [Mr. MASON] is recognized.

Mr. MASON. Mr. Chairman, all I want to do is to call the attention of this House to the fact that the legislative history of a bill and the legislative intent on the bill are absolutely discarded by the men who carry it out as shown in the OPA regulations and as shown in the decision of the Supreme Court in the A. P. case.

The CHAIRMAN. All time on the pending title and the pending bill has expired.

The question is on the amendment offered by the gentlewoman from Connecticut [Mrs. LUCE].

The amendment was agreed to.

The Clerk read as follows:

**TITLE II—ASSISTANCE IN PROVIDING NUTRITION
EDUCATION AND SCHOOL-LUNCH FACILITIES
APPROPRIATIONS AUTHORIZED**

SEC. 201. For each fiscal year, beginning with the fiscal year ending June 30, 1946, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary, not exceeding \$15,000,000, to enable the United States Commissioner of Education (hereinafter referred to as the "Commissioner"), under the supervision and direction of the Federal Security Administrator, to carry out the provisions of this title.

Mr. COOLEY (interrupting the reading). Mr. Chairman, I ask unanimous consent that the title may be considered as read and open for amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

Mr. HOPE. Mr. Chairman, I object.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. AUGUST H. ANDRESEN: Beginning on page 12, line 10, strike out all of title II.

Mr. AUGUST H. ANDRESEN. I have moved to strike title II from this bill, because this title in the school-lunch bill creates a new department in the Bureau of Education. Irrespective of the splendid objectives of the proposal, the time is at hand when we should oppose any proposal to establish new agencies in the Federal Government. Instead of creating new agencies, we should abolish or curtail many existing agencies in order to eliminate waste and extravagance in government.

The elimination of title II of the bill does in no manner interfere with the school-lunch program established in title I of the bill. Let there be no misunderstanding about this. If you vote to strike out title II of the bill, the school-lunch program will be carried on as provided in title I in the exact language set forth in the bill, with an authorization of \$50,000,000.

Mr. Chairman, sponsors of the legislation, and I might state that I favor the school-lunch program provided in title I, have repeatedly stated that the language of title II of the bill, does not confer any discretionary jurisdiction upon

the Bureau of Education in the handling of the school-lunch program. In my opinion such a claim is not in accordance with the language of the bill, nor with the explanation of title II in the report of the committee. Let us examine the bill and the report covering title II.

Section 201 of the bill authorizes \$15,000,000 "to enable the United States Commissioner of Education, under the supervision and direction of the Federal Security Administrator, to carry out the provisions of this title." The language is clear and no one can successfully contradict that this section definitely creates new duties and new powers for both the Commissioner of Education and the Federal Security Administrator. None of the duties or authority conferred in this title have ever been possessed by either of the agencies mentioned. These are new duties and new powers to administer and supervise the \$15,000,000 appropriation authorized in the bill. A new division will be created in the Bureau of Education to administer the program. Scores of additional high paid employees will be added to the pay roll to do the work. To cover the cost of the new agency the bill authorizes \$175,000 a year "to enable the Commissioner to carry out his functions under this title."

Section 202 (b) of title II definitely provided that "each State having a plan approved under this title shall be entitled to be an amount, limited as provided in subsection (c), which shall be used by the State educational agency, either directly or through grants to schools and school systems, to establish, maintain, operate, and expand school-lunch programs, to provide related nutrition education, and to provide and train technical and supervisory personnel and to provide equipment and facilities for such programs."

Under the provisions of the bill, the Commissioner of Education is authorized and required to pass judgment on every State plan, and no grant or gift can be made to any State before the State plan has received his approval. In other words, section 203 clearly specifies that the Commissioner is required to approve any State plan which, as determined by the Commissioner, complies with the provisions of this section or of section 202. It should be clear to everyone, that the Commissioner is clothed with discretionary power to either approve or disapprove of any State plan submitted to him. He can refuse to give a grant to any State, if the plan does not meet with his interpretation of the law. This legislative authority makes it possible for the Commissioner of Education to dictate the terms of any State plan before he will agree to any grant provided by this title. This interpretation of the language of the bill, may not be what the sponsors have in mind as to the intent of Congress. But after many years of experience in dealing with bureaus in Washington, I have always found that before a Federal grant is given to a State, the Federal agency, in charge, dictates the terms under which the money will be turned over despite any law on the subject.

Section 204 of title II gives the Commissioner veto power over any State plan submitted to him. Let me read from page 8 of the committee report:

If the Commissioner finds, after the hearing, that here is a failure to comply substantially with the plan or any provision in it, the State agency shall be notified that it will receive no further payment under title II until the Commissioner is satisfied.

Authority is provided in section 204 for a State agency to appeal to the United States district court from the decision of the Commissioner, and I predict that if this title is retained there will be many appeals to the courts, because most States and communities do not want any educational or lunch program dictated from a bureau in Washington.

Great claim is made for the formula specified in section 203 of the bill. This formula is so general in its terms, that as a matter of necessity, the Commissioner of Education will write the entire ticket or plan for every State, which in the end can mean nothing but Federal control over the program. We have had an abundance of experience during the past 14 years with the interpretation of the law by Federal bureau, and this is no time to take a chance and delegate more power or authority to any agency in Washington to be used against the people, whether it be good or bad.

I am convinced that the people in each State still have the intelligence to carry on the school-lunch program as specified in title I of the bill, without the guidance or dictation from another new bureau or agency which will come under the supervision of the Federal Security Administrator. If the people of the country have become so dependent for guidance from Washington bureaucracy, that they need this type of control, then we had better let them prepare food and meals for all of the people.

I trust the amendment I have offered will be approved.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. SPRINGER. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. AUGUST H. ANDRESEN. Let me again state that the purpose of my amendment is to strike out the entire part of the bill known as title II beginning on page 12, line 10, and through the rest of the bill. That leaves the program which has been discussed here today of giving the States, in cooperation with the Department of Agriculture, authority to handle the school-lunch program similar to the way it has been handled in the past.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Indiana.

Mr. SPRINGER. Title II is the title which would give the Federal Government power and control over our State educational system; is that not correct?

Mr. AUGUST H. ANDRESEN. That is correct, as I see it. It sets up a new

agency in the Bureau of Education, beginning with an appropriation of \$175,000, to hire new personnel and to direct how this money shall be expended by the various States, with the provision in the bill giving the Commissioner of Education the power to veto any State plan submitted to him, if it does not meet with his approval.

Assuming that the Commissioner of Education refuses to approve the plan, the only recourse that a State or local school agency will have is to take the case into court in order to demonstrate that the Commissioner is wrong; in other words, the State agency must resort to the courts in order to set aside the decision of the Commissioner of Education.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Pennsylvania.

Mr. WALTER. Will the adoption of this amendment in any wise affect the hot-lunch program?

Mr. AUGUST H. ANDRESEN. The hot-lunch program is not affected in any manner by my amendment, because it leaves title I and the program for hot lunches in schools in the bill as permanent legislation for the children of the country.

I regret that I am forced to oppose my chairman when it comes to title II of this bill. I will go with him in support of the school-lunch program in title I, but when it comes to creating an additional Federal agency to assist the Department of Agriculture in carrying out the school-lunch proposal, I feel that the time has come to call a halt. If title II is enacted into law, it will only be a few years before larger appropriations will be demanded by the Commissioner to carry on his work to expand the program, and once a new agency is created, all of the Members know, it can never be discontinued. Now is the time to stop it. You can do so by voting for the amendment to strike out title II. This amendment will come to a vote shortly after we convene on Thursday. I urge all members to be present.

(Mr. SUMNERS of Texas asked and was given permission to revise and extend his remarks.)

Mr. GILLIE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, while I am in favor of the school-lunch program and shall support the legislation, I wish to set forth a few of my reasons for objecting to certain parts of the bill. I feel that it is inadvisable to abrogate the fine principles of the school-lunch program by voting against the proposal, but I am looking forward to the day when this entire project can be turned back to the States and local communities.

I have been deeply interested in this measure ever since it was voted out of the House Agriculture Committee on which I have the honor of serving. For 3 weeks we held hearings on this proposal and were furnished a wealth of information by the various groups which appeared. After studying the testimony presented, and reviewing the entire philosophy of the school-lunch program, I am convinced that it is a local problem

and should be handled entirely on that basis.

For more than a quarter of a century our schools conducted hot-lunch projects, without running to the Federal Government for financial assistance. Each community took care of its own problem. I know this was true in the district I have the honor to represent. The people felt it a civic responsibility to take care of their underprivileged. They did not want or ask for Federal assistance. They were competent to take care of their own problems.

Fort Wayne is an average American city. It has had its share of civic worries, including the furnishing of food for undernourished school children. But it had faith and courage in its own abilities to work things out. I believe that we must return to this proposition on a national scale. Each community and State has a moral obligation to fulfill—looking out for the welfare of its citizens. We must take the paternalistic hand of government out of our community affairs. We must stop asking Federal aid for every local activity. We must again take pride in our ability to take care of ourselves and shoulder our community responsibilities. It was this fundamental characteristic which gave our people courage and self-reliance. It made our Nation strong.

During the 10 years of the federally supported school-lunch programs, we have appropriated more than a billion dollars. As the bill now stands, we shall appropriate fifty millions for the first year of its operations, plus fifteen million for administration. This money will come from the Federal Treasury. But, first of all, it will come from the sweat of every man's brow.

Thirty-two States have endorsed the program. Every State in the Union except two is out of debt. My home State has a large sum in its treasury for its postwar operations.

One section of the bill to which I am opposed, provides for \$15,000,000 for the use of the Commissioner of Education. It gives him full authority to put the money where he sees fit. I have seen enough of this type of appropriation by the administration forces to be skeptical of the high purposes to which the funds might be used at the Commissioner's discretion. I believe that this \$15,000,000 fund shall be distributed among the States which are familiar with their local situations.

I also am opposed to title II in the report. It sets out to whom the lunches shall be provided but does not provide for universal distribution to all school children. I believe that this section is discriminatory and should be revised or stricken out.

The future of our Nation depends upon the health, strength, and intelligence of our citizens. I know that we must provide assistance to the under privileged. But I believe that while we are nourishing the bodies of our children, we cannot afford to overlook their minds. They must be nurtured on the courage and stamina of independent thought and action as well as hot soup and milk. That is why I believe that we can better serve

our growing citizens by placing the responsibility in the local community where the local condition is known, and eliminate the continually growing tendency to lay all of our problems in the Government's lap. Paternalistic spoon-fed pap is a poor substitute for sulfur and molasses given at home.

Mr. GEELAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not find myself in complete agreement with the gentleman from Minnesota in his contention that unlimited power is given to the Commissioner of Education under this bill. Section 203a of title II defines just what authority and jurisdiction he has under this bill. I do, however, have objection to subsection 3 of section 203 and I have an amendment which I intend to offer to strike that section from the bill because I do think that particular section of the bill grants unwarranted power to the Commissioner of Education in that it prohibits the granting of any funds under title II to any school other than a public school. That, I feel, is unfair, discriminatory, and an invasion of State's rights by the Federal Government. If, in the first part of the bill, we feel that we are correct and right in assuming that we should provide hot lunches or make hot lunches available for those children who otherwise would be neglected, certainly we should not prohibit those schools which are participating in that program from using the funds which would be made available for the purchase of equipment to operate those school-lunch rooms. If this amendment does not carry when we reach that section of the bill, I will offer an amendment to strike that section out which, as I stated before, is clearly discriminatory and not in keeping with the spirit, intent, and language of the other section of the bill, principally title I.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. GEELAN. I yield.

Mr. AUGUST H. ANDRESEN. I know the gentleman has read the report. In interpreting the law the courts and the administrators will naturally go to the report. I call the gentleman's particular attention to the power vested in the Commissioner to pass upon the plan submitted to him, and if he finds they are not substantially in accordance with the law, it leaves a discretionary power in his hands to state that the plan does not meet with his approval.

Mr. GEELAN. I call the gentleman's attention to subsection B of title 203, which reads:

The Commissioner shall approve any State plan which he determines complies with the provisions of subsection A of this section.

Therefore, he has a yardstick to go by. It is written right in the law. Certainly some discretionary power must be given to administer any law.

Mr. AUGUST H. ANDRESEN. But the determination is left in his hands and as long as the formulas are not definitely laid down here in every respect he can state at any time that the plan submitted does not meet with his approval.

Mr. GEELAN. But they are laid down. They are spelled out in the law. Section 203 deals just with the powers of the Commissioner to grant or refuse to grant funds based upon section 203.

Mr. AUGUST H. ANDRESEN. The powers are quite general. However, I still contend that with the agency that creates and the power enacted here which is given to him, he can set aside any plan which would require a State agency to go into court and show that the Commissioner was wrong.

Mr. GEELAN. Only insofar as he can successfully prove that they are not in conformity with this section which sets out the requirements for the plan.

Mr. AUGUST H. ANDRESEN. Still it does set up a new agency and gives him personnel with money, to interpret and pass upon these plans?

Mr. GEELAN. It does set up a new agency; I agree with the gentleman.

The CHAIRMAN. The time of the gentleman from Connecticut [Mr. GEELAN] has expired.

Mr. FLANNAGAN. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JACKSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 3370), had come to no resolution thereon.

USE OF NAVAL VESSELS TO DETERMINE EFFECT OF ATOMIC WEAPONS

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 505), which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 307, to authorize the use of naval vessels to determine the effect of atomic weapons upon such vessels. That after general debate, which shall be confined to the resolution and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Naval Affairs, the resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the resolution for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

NAVAL ESTABLISHMENT FOR THE REPUBLIC OF CHINA

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 513), which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of H. R. 5356, a bill to provide assistance to the Republic of China in augmenting and main-

taining a naval establishment, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CORRECTION OF RECORD

Mr. SABATH. Mr. Speaker, I ask unanimous consent that I may delete from the permanent RECORD certain words in a letter which I have sent to Hon. JOHN S. WOOD, chairman of the Committee on Un-American Activities.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

HOUSING LEGISLATION

Mr. SABATH. Mr. Speaker, I have been asked by many Members as to the housing bill. I wish to state that a rule has been granted and will be filed tomorrow, and, as I understand, will be taken up on Friday for general debate.

Mr. McCORMACK. The understanding of the distinguished gentleman is absolutely correct.

EXTENSION OF REMARKS

Mr. FEIGHAN asked and was given permission to extend his remarks in the RECORD and include therewith certain resolutions.

Mr. MILLER of California asked and was given permission to extend his remarks in the RECORD and include an editorial from the Contra Costa County Gazette, Hawaii as a State.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. GWYNNE of Iowa asked and was given permission to extend his remarks in the RECORD and include a short article from the Waterloo (Iowa) Daily Courier.

Mr. CURTIS (at the request of Mr. MARTIN of Massachusetts) was granted permission to extend his remarks in the RECORD and include a letter from a constituent.

SPECIAL ORDER

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent that the special order granted me today may be canceled and that I be granted the same time on next Monday.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CASE of New Jersey (at the request of Mr. SUNDSTROM), on account of illness in family.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned until tomorrow, Thursday, February 21, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

(Thursday, February 21, 1946)

The Committee on Expenditures in the Executive Departments will hold hearings on surplus property at 10 a. m., Thursday, February 21, 1946, through Friday, February 22, 1946.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

(Thursday, February 21, 1946)

The Committee on Immigration and Naturalization will hold hearings on H. R. 3663 at 10:30 a. m. on Thursday, February 21, 1946, in room 446, Old House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

1080. Under clause 2 of rule XXIV a letter from the president of the Board of Commissioners, District of Columbia, transmitting a joint report prepared by the district engineer, United States Engineer office, Washington, D. C., and the Engineer Commissioner, District of Columbia, with the accompanying papers and illustrations, in response to an item in the District of Columbia Appropriation Act of 1941 and 1942, for the development of a plan to insure an adequate future water supply for the District of Columbia (H. Doc. No. 480), was taken from the Speaker's table, referred to the Committee on the District of Columbia, and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. HOBBS: Committee on the Judiciary. H. R. 5504. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; without amendment (Rept. No. 1588). Referred to the House Calendar.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 5466. A bill to provide for the licensing of marine radio-telegraph operators, and for other purposes; without amendment (Rept. No. 1589). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLOOM: Committee on Foreign Affairs. H. R. 5244. A bill to authorize the appointment of additional foreign-service officers in the classified grades; with amendment (Rept. No. 1590). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of VIRGINIA: Committee on Rules. House Resolution 505. Resolution providing for the consideration of House Joint Resolution 307, a joint resolution to authorize the use of naval vessels to determine the effect of atomic weapons upon such vessels; without amendment (Rept. No. 1591). Referred to the House Calendar.

Mr. JOHN J. DELANEY: Committee on Rules. House Resolution 513. Resolution

providing for the consideration of H. R. 5356, a bill to provide assistance to the Republic of China in augmenting and maintaining a naval establishment, and for other purposes; without amendment (Rept. No. 1592). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DINGELL:

H. R. 5533. A bill to amend the Reconstruction Finance Corporation Act to provide for the return of premiums on war-damage insurance; to the Committee on Banking and Currency.

By Mr. KEARNEY:

H. R. 5534. A bill to amend chapter VII, title V, of the Servicemen's Readjustment Act of 1944, as amended, to provide that unemployed veterans shall not be disqualified from receiving readjustment allowance during first 60 days after discharge; to the Committee on World War Veterans' Legislation.

By Mr. KEFAUVER:

H. R. 5535. A bill to amend an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (38 Stat. 730), as amended; to the Committee on the Judiciary.

By Mr. HAGEN:

H. R. 5536. A bill relating to the age requirement, as applied to veterans, for the issuance of taxicab permits and driver permits in the District of Columbia; to the Committee on the District of Columbia.

By Mr. FLOOD:

H. R. 5537. A bill granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Susquehanna River at a point between the Borough of Plymouth, in Plymouth Township, and Hanover Township, in the county of Luzerne, and in the Commonwealth of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

By Mr. McMILLAN of South Carolina:

H. J. Res. 320. Joint resolution to extend child-care centers until June 30, 1946; to the Committee on the District of Columbia.

By Mr. KEOGH:

H. Con. Res. 128. Concurrent resolution to authorize the printing as a House document of the Servicemen's Readjustment Act of 1944, as amended; to the Committee on Printing.

By Mr. BARRY:

H. Res. 528. Resolution authorizing study and investigation of prefabricated and other types of housing; to the Committee on Rules.

By Mr. WELCH:

H. Res. 529. Resolution requesting the Secretary of Navy and the Secretary of War to appoint a joint board to investigate and report on the need for constructing a bridge between San Francisco and Bay Farm Island or a system of dams across San Francisco Bay; to the Committee on Naval Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to amendment and extension of the Federal Social Security Act in respect to public assistance, also relating to development of Alaska, and amendment of Servicemen's Readjustment Act of 1944, extending benefits to veterans for Alaska homesteads; to the Committee on Ways and Means.

Also, memorial of the Legislature of the Congress of the Philippines, Manila, P. I., memorializing the President and the Congress of the United States supporting the view that the members of the present Congress of the Philippines may hold over until the election of their successors; to the Committee on Insular Affairs.

Also, memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States, not to ratify any treaty or agreement with the Dominion of Canada or pass any legislation which may provide for the construction of the St. Lawrence seaway; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of Louisiana:

H. R. 5538. A bill for the relief of Mae Maxine Stone; to the Committee on Claims.

By Mr. HAVENNER:

H. R. 5539. A bill for the relief of Andrew M. Halvorson; to the Committee on Claims.

By Mr. MASON:

H. R. 5540. A bill to record the lawful admission to the United States for permanent residence of Naka Matsukata Rawsthorne; to the Committee on Immigration and Naturalization.

By Mr. PRICE of Florida:

H. R. 5541. A bill for the relief of F. B. Sweat; to the Committee on Claims.

By Mr. RAMEY:

H. R. 5542. A bill for the relief of Clarence J. Ludwig; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1601. By Mr. CANFIELD: Senate concurrent resolution of the Legislature of New Jersey memorializing the United States Senate and House of Representatives not to ratify any treaty or agreement with the Dominion of Canada or pass any legislation which may provide for the construction of the St. Lawrence seaway; to the Committee on Rivers and Harbors.

1602. By Mr. DONDERO: Petition of citizens of the Seventeenth Congressional District of Michigan, opposing the act of vivisection and demanding immediate action to prohibit such inhuman abuse and indescribable torture by legislation; to the Committee on Agriculture.

1603. By Mr. GOODWIN: Petition of executive board, Massachusetts State Federation Women's Clubs, endorsing House bill 3370; to the Committee on Agriculture.

1604. By Mr. HAVENNER: Petition signed by 75 citizens of San Francisco, petitioning Congress to continue the Office of Price Administration beyond June 30; to the Committee on Banking and Currency.

1605. By Mr. HENRY: Petition of 24 residents of Madison, Wis., expressing their opposition to the proposed legislation for compulsory military training; to the Committee on Military Affairs.

1606. By Mr. MCGREGOR: Petition of C. B. Miller and citizens of Mansfield, Ohio, protesting against any loan to Great Britain; to the Committee on Foreign Affairs.

1607. By Mrs. NORTON: Concurrent resolution of the Legislature of the State of New Jersey, memorializing the United States Senate and House of Representatives not to ratify any treaty or agreement with the Dominion of Canada or pass any legislation which may provide for the construction of the St. Lawrence seaway; to the Committee on Rivers and Harbors.

Cut Out the Subsidies

EXTENSION OF REMARKS
OF

HON. CHARLES A. PLUMLEY

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 20, 1946

Mr. PLUMLEY. Mr. Speaker, under permission heretofore granted me to extend my remarks in the RECORD, I wish to include the following editorial from the Suburban List, Essex Junction, Vt., of February 14, 1946:

CUT OUT THE SUBSIDIES

For many years private business in one form or another has been receiving subsidies from the Federal Government. The principle is all wrong, unsound, and if continued, is going to lead to trouble. As a war measure such subsidies may have been justified. But the war is now over and the country must now get back to good sound business sense.

No less a paper than the New York Times has this to say on this important matter:

"Mr. Truman has asked for a continuation of food subsidies after June 30, 1946. He proposes that this extension should be tied down specifically to certain standards. The standard suggested is that subsidies be removed as soon as it is indicated that the cost of living will decline below the present levels. However, in other sections of his recent message the President emphasized that the inflationary pressures on prices and rents with relatively few exceptions are now at an all-time peak.

"Under these conditions it would seem that no reduction in subsidy payments is to be expected on the basis of the standard suggested for their removal. On the contrary, as events in recent weeks have demonstrated, the continuation of a hold-the-line policy in the face of inflationary pressures which are at an all-time peak will necessitate the adoption of new subsidies. Sugar and coffee subsidies are recent cases in point.

"It is estimated that if all food subsidies were removed, the cost of food would rise 8 percent and the cost of living would rise 3 percent. The President states that 'if prices of food were allowed to increase by these amounts * * * it would become extremely difficult for us to control the forces of inflation.' Does not this statement confuse the causes and effects of inflation? The payment of subsidies is clearly more inflationary than a 3 percent rise in living costs would be, because subsidy payments add to the inflationary pressures by increasing the magnitude of the Government deficit."

The fallacy of the subsidy payments is that the people who receive them think they are getting something for nothing. That is what is thought of all payments from the Government. But the Government is the people and those subsidy payments all have to be met in tax payments, either direct or indirect.

The top-notch subsidy payments here in Vermont are for milk. The farmers may think they are getting the benefit. No such thing! Such milk subsidies go to the consumer, although the money is paid to the milk producers.

It must be clear that these milk subsidy payments cannot go on forever. There is a strong probability they will be stopped next July. The argument that if milk is increased to the consumer 2 cents a quart that there will be greatly decreased consumption does not stand to reason.

If increased consumption of whole milk is to be thought of in Boston then let the differential between house delivery and store

price be fixed at 2 cents a quart instead of 1 cent as at present. Anyone with common sense knows that the difference in cost for such deliveries is more than 1 cent a quart.

Instead of fighting for a continuance of the subsidy the milk farmers and their organizations should plan to operate their business on their own and demand a price in relation to cost of production. The milk business has got to stand on its own feet sooner or later and the quicker the milk leaders meet that situation the better.

School-Lunch Program

EXTENSION OF REMARKS

OF

HON. CHARLES A. PLUMLEY

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 20, 1946

Mr. PLUMLEY. Mr. Speaker, I am committed to support some kind of a school-lunch program.

As a member of the subcommittee on appropriations for agriculture, I have repeatedly supported the proposition to obtain a rule in order that the school-lunch program and funds therefor might be included in the agricultural appropriation bill. The House has consistently supported the rule and passed the bill containing the appropriation.

We unofficially served notice on the Committee on Agriculture that we felt that it should initiate legislation to relieve our committee of having to obtain a rule.

Now that has been accomplished, and H. R. 3370 is before us for consideration and for our determination as to whether or not the program for food lunches shall be legislatively authorized.

I do not like certain features and provisions of this bill. Amendments will be offered which should be adopted, but after all is said and done we should not spend billions to feed people and children in devastated areas while we let our own children starve. Charity begins at home—and that could be used as a slogan for a reason for not voting for some other measures now before this Congress.

I have suggested certain amendments which I think ought to be made and they will be offered at the proper time. The bill in all probability will not suit everybody in its entirety as finally it comes to the question of its passage.

When every effort has been made to perfect the bill by amendment, I shall vote for it, hoping that before it becomes a law such necessary changes as are not made in the House may be made in the Senate or in conference. Certainly title II should be amended and I am sure that eventually it will be so rewritten as to meet the objections of those who have protested so vigorously against its provisions as discriminatory.

I have every confidence in the Committee on Agriculture, which has devoted many weeks to the consideration and drafting of the bill. To quote the Chairman of the Committee on Agriculture:

The bill provides basic, comprehensive legislation for aid to the States in the opera-

tion of school-lunch programs as permanent and integral parts of their school systems. For the past 10 years we have carried on a school-lunch program under legislative authority included in the agricultural appropriation bill. Of course, this is a year-to-year program, as the Appropriation Committee can only authorize the program 1 year at a time. This arrangement, while handicapped by its lack of permanency, has been highly successful, as shown by the following figures covering its 1945 operations:

Public schools

Number of public schools.....	208, 235
Number of public schools under program	39, 467
Number of children attending public schools.....	24, 562, 473
Number of children in public schools under program.....	6, 120, 065

Parochial schools

Number of parochial schools....	10, 049
Number of parochial schools under program.....	2, 970
Number of children attending parochial schools.....	2, 611, 047
Number of children in parochial schools under program.....	460, 650

Child-care centers

Number of child-care centers....	1, 059
Number of children served.....	74, 000

This year it is estimated that 48,000 public schools are operating under the program, serving lunches to some 8,200,000 school children. In addition it is estimated that there are many public and private schools, serving lunches to some five or six million children, operating outside the program. Hence, the over-all picture is this: There are some fifty to sixty thousand schools serving lunches to some ten or twelve million children. In addition lunches are being served in some 1,000 child-care centers to some 75,000 children. The great draw-back to the program, of course, is its lack of permanency. This lack of permanency makes it very hard for the Department of Agriculture and the schools to plan ahead. This inability to plan their programs ahead keeps many schools, especially the poorer ones, from working toward the programs they would like to have. Moreover, this lack of permanency has kept many of the States from wholeheartedly entering into the school-lunch program.

H. R. 3370 is a two-title bill. Title I permanently establishes Federal assistance to a school-lunch program upon a firm basis. It follows much the same pattern that we have been following for the past 10 years. It establishes as the policy of Congress the dual objective of: First, expanding the market of agricultural commodities by encouraging domestic consumption; and second, improving the health of the children by providing a nutritional school lunch.

Title I of the bill, which applies to public and nonprofit private schools alike, calls for an appropriation of \$50,000,000, 75 percent of the funds to be paid by the Secretary of Agriculture to the State agencies and by the respective State agencies to the schools within the program. In States where the State constitutions prohibit the reallocation of funds to nonprofit private schools the Department of Agriculture is permitted to allot funds directly to such schools. Funds going to the States are apportioned on the basis of, first, the number of children from 5 to 17, inclusive, and, second, the need for assistance as indicated by the ratio of the per capita income of a State to that of the United States. Federal funds are matched in the beginning by State and local funds on a dollar-for-dollar basis, and the matching increases progressively as follows: 1948, two State dollars to one Federal dollar; 1949-50, three State dollars to one Federal dollar; 1951 and thereafter, four State dollars to one Federal dollar.

The plan worked out is a State plan. The funds are disbursed by the State agencies to the schools within the State pursuant to agreements entered into between the State agencies and the schools. The agreements, of course, must be in accordance with the provisions of title I and approved by the Secretary of Agriculture. And the bill expressly provides that neither the Secretary of Agriculture nor the State "shall impose any requirement with respect to administration, teaching, teaching personnel, curriculum, instruction, or material of instruction of any school."

Title II of the bill is new. It authorizes an appropriation of \$15,000,000 to be apportioned as provided in title I, but only to the public schools. The funds so authorized are to be used by the States, first, to employ and train school-lunch administrators, supervisors, and managers; second, to equip school lunchrooms; and, third, to develop programs of nutrition education. The funds are channeled through the United States Office of Education to the States. The State educational agency must submit a State plan providing for (a) the development and supervision of school lunches by the State agency and limiting the costs resulting from these activities to not in excess of 15 percent of funds apportioned; (b) distribution of funds only to public schools and school systems of high-school grade or under—including nonprofit private schools of high-school grade or under which receive public funds from the State or any school system thereof for payment of teachers salaries; (c) such schools to furnish school lunches on nonprofit basis in accordance with nutritional standards determined by the State educational agency to be consistent with those established by the Department of Agriculture; and (d) such schools to serve meals without cost or at reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the lunch, and with no segregation or discrimination because of inability to pay.

The parochial schools complain because they are not included under this section. In my opinion, while the parochial schools are not included, they can readily obtain all the advantage of this section except the advantages provided for the securing of equipment. As to equipment, I believe the parochial schools should stand upon the same footing as the public schools. The committee thought otherwise. To my way of thinking, if it is right and proper to provide the parochial schools with food it is inconsistent to exclude them from the provision providing funds with which, for instance, to purchase a stove to cook the food on. Such a policy is in line with the reasoning of the mother who gave, if I may coin the phrase, prohibitive consent to her daughter to go swimming:

Mother, may I go out to swim?

O yes, my darling daughter,

But hang your clothes on the hickory limb
And do not go nigh the water.

Mr. Speaker, we have committed ourselves over and over again as to the value if not necessity of a school-lunch program as annually we have passed the agricultural appropriation bill containing the necessary provisions to partially sustain such a program.

I am satisfied that the program is to become permanent.

We may have to change certain details as experience shows what must be done. Certainly there is nothing in the bill which violates State rights, and the features of the measure which require State supervision and cooperation safeguard the people and conserve the rights of everybody—States included.

St. Lawrence Seaway

EXTENSION OF REMARKS

OF

HON. HARRY L. TOWE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 20, 1946

Mr. TOWE. Mr. Speaker, under leave to extend my remarks, I include a resolution passed by the Legislature of the State of New Jersey, as follows:

Concurrent resolution memorializing the United States Senate and House of Representatives not to ratify any treaty or agreement with the Dominion of Canada or pass any legislation which may provide for the construction of the St. Lawrence seaway

Whereas the Legislature of the State of New Jersey, on February 12, 1940, passed a concurrent resolution memorializing the United States Senate not to ratify a treaty with the Dominion of Canada for the proposed St. Lawrence seaway; and

Whereas the Legislature of the State of New Jersey, on January 21, 1941, passed a concurrent resolution reaffirming its position in opposition to the proposed St. Lawrence seaway; and

Whereas it appears that the present Congress of the United States may be called upon to approve or authorize the construction of the seaway: Therefore be it

Resolved by the Senate of the State of New Jersey (the House of Assembly concurring), That this legislature reaffirm its position in opposition to the proposed St. Lawrence seaway because of its economic impracticability, its entire lack of advantage as a defense measure, and its detriment to business in the State of New Jersey; and be it further

Resolved, That the Senate and the House of Representatives of the United States, and particularly the Senators and Representatives elected from the State of New Jersey, be memorialized and requested to not ratify any treaty or agreement for the proposed St. Lawrence seaway or to approve or authorize the construction thereof; and be it further

Resolved, That a copy of this resolution be immediately transmitted to the Secretary of the United States Senate, the chairman of the Senate Committee on Foreign Relations, the Speaker of the House of Representatives, and to each Senator and Representative elected from the State of New Jersey.

What Heaven or What Hell!

EXTENSION OF REMARKS

OF

HON. GORDON CANFIELD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 1946

Mr. CANFIELD. Mr. Speaker, 4 weeks ago today, with eight of my colleagues of the House, I was at Hiroshima. The damage was awful. I saw nothing to approximate it in my visits to the blitzed cities of Germany during the war. There were a few remaining concrete pillars, some twisted steel girders, a number of distorted tree trunks, and leaning grave markers. Otherwise, the picture was one of complete flatness, and the rubble of earth, metal, and glass was a dusty mixture. Native survivors who

were 2 miles away from the center of the blast showed us severe X-ray burns that appeared on their bodies where they had colored coverings.

The challenge to the forces of civilized humanity in what took place here at Hiroshima is emphasized in the following poem written by my constituent, Mr. Louis Ginsberg, of 324 Hamilton Avenue, Paterson, N. J., and appearing in the New York Herald Tribune and the Paterson Morning Call:

ATOMIC BOMB

The vast dilemma of the human race
Is pulsing, restless, in the atom's space.

What magnitudes, that slept in shrunken size,
At man's command, are ready to arise?

As in a geni's bottle, what powers are curled
To pour, gigantic, out upon the world?

What holocausts, that slumbered long, are tense
To be unprisoned and to stretch immense?

From what miraculous mote invisible,
Seethes to rush forth what heaven or what hell?

O may the mighty heat that feeds the sun
Melt science and morality into one!

LAWS RELATIVE TO THE PRINTING OF DOCUMENTS

Either House may order the printing of a document not already provided for by law, but only when the same shall be accompanied by an estimate from the Public Printer as to the probable cost thereof. Any executive department, bureau, board, or independent office of the Government submitting reports or documents in response to inquiries from Congress shall submit therewith an estimate of the probable cost of printing the usual number. Nothing in this section relating to estimates shall apply to reports or documents not exceeding 50 pages (U. S. Code, title 44, sec. 140, p. 1938).

Printing and binding for Congress, when recommended to be done by the Committee on Printing of either House, shall be so recommended in a report containing an approximate estimate of the cost thereof, together with a statement from the Public Printer of estimated approximate cost of work previously ordered by Congress within the fiscal year (U. S. Code, title 44, sec. 145, p. 1938).

Resolutions for printing extra copies, when presented to either House, shall be referred immediately to the Committee on Printing, who, in making their report, shall give the probable cost of the proposed printing upon the estimate of the Public Printer, and no extra copies shall be printed before such committee has reported (U. S. Code, title 44, sec. 133, p. 1937).

PRINTING OF CONGRESSIONAL RECORD EXTRACTS

It shall be lawful for the Public Printer to print and deliver, upon the order of any Senator, Representative, or Delegate, extracts from the CONGRESSIONAL RECORD, the person ordering the same paying the cost thereof (U. S. Code, title 44, sec. 185, p. 1942).

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The Public Printer is authorized to furnish to subscribers the daily RECORD at \$1.50 per month, payable in advance.

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Det.
21.

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued February 25, 1946, for actions of Thurs. and Fri., Feb. 21 and 22, 1946)

(For staff of the Department only)

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HIGHLIGHTS: House passed school lunch bill. House Ways and Means Committee reported bill to authorize USDA to condemn unfit materials to be used in process or renovated butter. Senate confirmed nomination of Porter as Price Administrator. Senate passed bills to restrict mineral development on, and adjust boundaries of, national forests. Senate passed bill to transfer an FSA rehabilitation project to N. Dak., for use of veterans. Rep. Jenkins stated New Deal is adopting program advocated by Republican Congressional Food Study Committee.

SENATE - February 21

1. NOMINATION. Confirmed the nomination of Paul Porter as Price Administrator (pp. 1548-9).
2. FORESTRY. Passed as reported S. 913, to protect scenic values along Catalina Highway in the Coronado National Forest, Ariz., by restricting mineral development (p. 1555).
Passed without amendment S. 1226, to readjust the exterior boundaries of the Kaibab National Forest and certain other lands, Ariz. (p. 1556).
3. RURAL REHABILITATION. Passed as reported S. 1336, to transfer the FSA Burlington Farms Project to N. Dak. for the benefit and rehabilitation of handicapped veterans (pp. 1555-6).
4. PURCHASING. Passed without amendment H. R. 2284, to prohibit payment of fees, kick-backs, or gifts by subcontractors in efforts to get Government contracts from prime contractors or a higher subcontractor (p. 1563). This bill will now be sent to the President.
5. BANKRUPTCY. Passed over, on objection of Sen. Cordon, Oreg., H. R. 4160, to set up a system of full-time salaried referees under the Bankruptcy Act (p. 1561).
6. CLAIMS. Passed without amendment H. R. 129, to provide relief for banks, merchants, etc., by limiting the time within which the Government may bring action to recover the proceeds of its checks by reason of forged endorsements or

unauthorized signatures (p. 1563). This bill will now be sent to the President.

7. SURPLUS PROPERTY. The Military Affairs Committee submitted an interim report on disposal of surplus war plants (S. Rept. 987)(pp. 1564-5).
8. ST. LAWRENCE WATERWAY. Received a N. J. Legislature memorial opposing this project (pp. 1544-5).

9. PERSONNEL. Received a Virgin Islands Assembly petition favoring inclusion of Federal employees in those Islands under S. 1415, to increase Federal pay (p. 1545).

10. Employees' Compensation Act to certain employees including those rendering service to the U. S. for nominal pay and without compensation (p. 1553). Sen. Fulbright, Ark., submitted an amendment which he intends to propose to the bill (p. 1547).

At the request of Sen. Revercomb, W. Va., passed over H. R. 2716, to authorize appropriations for health programs for Federal employees (p. 1557).

At the request of Sen. Revercomb, passed over S. 1105, to modify the penalties under the Hatch Political Activities Act, and then recommitted the bill to the Judiciary Committee for further study (p. 1560).

10. FEED SHORTAGE. Received a R. I. Legislature memorial requesting alleviation of the feed and grain shortage for dairy cattle and poultry flocks (p. 1545).
11. WILDLIFE CONSERVATION. The Territories and Insular Affairs Committee reported with amendment S. 965, to amend the Alaska game law (S. Rept. 982)(p. 1546).
12. ASSISTANT SECRETARIES OF COMMERCE. Passed without amendment S. 1367, to provide for three additional Assistant Secretaries of Commerce (p. 1554).

SENATE - February 22

13. SCHOOL LUNCH PROGRAM. Sen. Capper, Kans., inserted a letter from the National PTA Congress favoring S. 962, to authorize such a program, and stated that he is in favor of the bill (p. 1608).

H. R. 3370, the school-lunch bill, was placed on the Senate calendar (p. 1609).

14. ADJOURNED until Tues., Feb. 26. Committees were authorized to submit reports during recess. (p. 1609.)

HOUSE - February 21

15. SCHOOL LUNCH BILL. Passed with amendments, 275-101, this bill, H. R. 3370 (pp. 1567-76). Agreed to an amendment by Rep. Andresen, Minn., to strike out the \$15,000,000 authorization for the Office of Education (pp. 1568-73). Agreed, 252-110, to an amendment by Rep. Powell, N. Y., as modified by an amendment by Rep. Folger, N. C., to prohibit payment of Federal funds for providing food in any State or school if it discriminates because of race, creed, color, or national origin (pp. 1573-4)(this amendment had previously been agreed to in Committee of the Whole). Rejected, 121-260, a motion by Rep. Clevenger, Ohio, to recommit the bill to the Agriculture Committee (pp. 1574-5).

16. BUTTER INSPECTION. The Ways and Means Committee reported without amendment H. R. 3611, to authorize this Department to condemn materials intended for use in

process or renovated butter and which are unfit for human consumption (H. Rept. 1595)(p. 1601).

17. HOUSING. The Rules Committee reported a resolution for consideration of H. R. 4761, the Patman housing bill (price control and subsidies)(pp. 1567, 1601).
18. FEED SHORTAGE. Rep. Philbin, Mass., urged Government action to provide more feed for New England livestock and poultry (p. 1597).
19. LEGISLATIVE PROGRAM. Majority Leader McCormack announced the legislative program for this week as follows: Mon. and Tues., Patman housing bill; Wed., bill to include department heads under Retirement Act; Thurs. and Fri., agricultural appropriation bill and deficiency appropriation bill (p. 1597).

HOUSE - February 22

20. TERRITORIES AND POSSESSIONS. Resident Commissioner, Pinero, Puerto Rico, inserted the President's letter to the Caribbean Commission outlining U. S. policy with respect to the governments of the non-self-governing territories of the Caribbean region (pp. 1615-6).
21. ADJOURNED UNTIL MONDAY, Feb. 25 (p. 1615).*

BILLS INTRODUCED

February 21

22. HOUSING. H. R. 5553, by Rep. Rogers, Mass., relating to veterans preferences in purchasing surplus property suitable for residential purposes. To Public Lands Committee. (p. 1602.) Remarks of author. (p. A956-7).
23. ELECTRIFICATION. H. R. 5555, by Rep. Harris, Ark., to amend the Rural Electrification Act of 1936, as amended. To Inter-state and Foreign Commerce Committee. (p. 1602.)
24. RESEARCH. S. 1850, by Sen. Kilgore, W. Va., (for himself and Senators Magnuson, Wash., Johnson, Colorado, Popper, Fla., Fulbright, Ark., Saltonstall, Mass., Thomas, Utah, and Ferguson, Mich.), to promote the progress of science and the useful arts, to secure the national defense, to advance the national health and welfare, etc. To Military Affairs Committee. (p. 1546.)
25. MINERALS. S. 1856, by Sen. Hatch, N. Mex., to reserve for the use of the United States all deposits of fissionable materials contained in the public lands. To Public Lands and Surveys Committee. (p. 1546.)

February 22

26. POSTAGE. S. 1858, by Sen. Mead, N. Y., (p. 1609.) and H. R. 5560, by Rep. McKenzie, La., to fix the rate of postage on domestic air mail, etc. (p. 1617). To Postage Office and Post Roads Committees.

*It is understood that there will be no legislative program today, in view of the death of Rep. Snyder, Pa.

27. FOOD PRODUCTION. Extension of remarks of Rep. Jenkins, Ohio, claiming that the New Deal is finally adopting the program advocated by the Republican Congressional Food Study Committee, and including a Baltimore (Md.) Sun Article urging the continuation of the victory garden program (pp. A950-1).
28. SCHOOL LUNCH PROGRAM. Extension of remarks of Reps. Murray, Wis., Mansfield, Mont., Link, Ill., and Rep. Biemiller, Wis., favoring the school lunch bill (pp. A957-8, A959, A959-60, A960).
29. FARM PRICES; LABOR. Rep. Graham, Pa., inserted a Wilmington (Pa.) Grange resolution favoring legislation to control strikes, to prevent interference with the marketing of farm produce, and to adjust prices to cover the increase in cost of farm labor (pp. A961-2).
30. HOUSING. Sen. Tunnell, Del., inserted Sen. Mead's (N. Y.) Housing Progress article summing up the housing situation in the U. S. and favoring S. 1592 the national housing policy bill (pp. A949-50).
Sen. Bridges, N. H., inserted four newspaper editorials opposing housing subsidies (pp. A958-9).
31. TRANSPORTATION. Sen. Hill, Ala., inserted Secretary Wallace's (Commerce Department) speech urging approval of the St. Lawrence Waterway (pp. A946-8).
32. INFLATION; ECONOMY. Rep. Burfett, Neb., inserted a New York Times editorial urging the balancing of the Federal budget as the only real cure for inflation (p. A957).
33. VETERANS. Rep. Sikes, Fla., inserted a digest of the present benefits available for veterans under the G. I. Bill of Rights (pp. A962-3).
34. PHILIPPINES. Rep. Woodruff, Mich., inserted Francis B. Sayre's article, "Freedom Comes to the Philippines" (pp. A966-9).

ITEMS IN APPENDIX - FEBRUARY 22

35. MARKETING. Extension of remarks of Rep. Flannagan, Va., explaining his bill, H. R. 5496, to amend the provisions of the AAA Act relating to marketing agreements and orders (p. A975).
36. PRICE CONTROL. Rep. Woodruff, Mich., inserted a constituent's letter containing a table showing the increase in certain food prices since 1941 (pp. A975-6).
37. HOUSING. Extension of remarks of Rep. Patman, Tex., urging ceiling prices on houses (p. A983-4).
38. FOREIGN RELIEF. Rep. Bloom, N. Y., inserted a Washington Evening Star article favoring the continued participation of the U. S. in UNRRA (p. A989).

COMMITTEE-HEARINGS ANNOUNCEMENTS for Feb. 25: H. Appropriations, deficiency, (ex.); H. Banking and Currency, OPA extension (Eccles); H. Civil Service, Federal pay bill (Flemming); H. Food shortage, dairy (OPA & USDA officials); S. Foreign Relations Subcommittee, St. Lawrence Waterway; S. Appropriations, urgent deficiency bill (ex.); S. Atomic Energy (ex.).

For supplemental information and copies of legislative material referred to call Ext. 4654, or send to Room 113 Adm. Arrangements may be made to be kept advised routinely, of developments on any particular bill.

House of Representatives

THURSDAY, FEBRUARY 21, 1946

The House met at 12 o'clock noon.
The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Saviour of the world, the hope of every nation, grant that we may live generously each day for the good of others. Only when we breathe the spirit of the Golden Rule will the world become new. In the sacred name of liberty, in the cause of human brotherhood, deliver us from looking through the distorted glass of self-love and self-interest. O crown our souls with the loyal and helpful things which make life sweet and fair, blest with the sustaining power of religious faith, whose need we shall never outgrow until we outgrow temptation and sorrow. Thou who didst touch this earth with Thy holy feet and made a sacrament of labor, O help us to look up and heed the old injunction that man shall not live by bread alone. Allow no condition or circumstance to embitter or rend our hearts; by sympathy we shall win, and by forgiveness we shall conquer. In the name of Him who loved even His enemies, Christ our Redeemer. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

The SPEAKER. The Chair prefers not to recognize Members for 1-minute speeches today.

EXTENSION OF REMARKS

Mr. OUTLAND asked and was given permission to extend his remarks in the RECORD and include an address by Under Secretary of State Dean Acheson.

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD and include an editorial from the Milwaukee Journal.

Mr. CHURCH asked and was given permission to extend his remarks in the Appendix and include two editorials, one from the Chicago Daily News of February 19, 1946, entitled "Brotherhood" and the other one entitled "We Need Bomb Control."

CORRECTION OF THE RECORD

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to correct the RECORD of yesterday as follows:

Page 1521 of the RECORD, second column, where the colloquy took place between myself and the gentleman from Illinois [Mr. DIRKSEN], shows I used these words:

That is correct; not unless it be made today.

Whereas my words were:

That is correct; except that the appropriation may be continued in the manner it is today.

The last word in the paragraph appears in the RECORD as "groups", whereas it should be "schools."

The SPEAKER. Without objection, the permanent RECORD will be corrected accordingly.

There was no objection.

Mr. CHURCH. Mr. Speaker, on February 14, 1946, I extended my remarks in the Appendix of the RECORD. I ask unanimous consent to make corrections therein as follows:

On page A-793, correct four words in the second column, two in the third paragraph from top, the word "thing" should be "think", and the letters "Hs" should be "He."

Farther down in the same column, the fifth paragraph from the bottom, sixth line of that paragraph, the word "labor" should be "label", and in the next line the word "organization" should be "organizations."

The SPEAKER. Without objection, the permanent RECORD will be corrected accordingly.

There was no objection.

Mr. STEFAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STEFAN. Did I understand the distinguished Speaker to say there would be no 1-minute speeches today?

The SPEAKER. The Chair stated that he preferred not to recognize Members for that purpose today.

EXTENSION OF REMARKS

Mr. STEFAN asked and was given permission to extend his remarks in the RECORD on the subject of the British loan.

Mr. GRAHAM asked and was given permission to extend his remarks in the RECORD and include a resolution passed by the Wilmington Grange.

Mr. JENKINS asked and was given permission to extend his remarks in the RECORD and include some newspaper clippings.

Mr. RANKIN asked and was given permission to extend his remarks and include an address delivered by Hon. Lothrop Stoddard over the radio on February 17, 1946.

Mr. HOFFMAN asked and was given permission to extend his remarks in the RECORD and include a statement and a newspaper article.

Mr. JACKSON asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper editorial.

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks in the RECORD and include a

brief statement regarding defense housing and the disposal of surplus property to veterans.

AMENDMENT TO NATIONAL HOUSING ACT

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 530, Rept. No. 1593), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4761) to amend the National Housing Act by adding thereto a new title relating to the speculation and excessive profits in the sale of housing, and to insure the availability of real estate for housing purposes at fair and reasonable prices, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed one day, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

MAINTENANCE, OPERATION, AND EXPANSION OF SCHOOL-LUNCH PROGRAMS

Mr. FLANNAGAN. Mr. Speaker. I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

CALL OF THE HOUSE

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. FLANNAGAN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 27]

Adams	Chenoweth	Douglas, Ill.
Angell	Chipperfield	Eberharter
Baldwin, Md.	Clason	Ervin
Baldwin, N. Y.	Cole, Kans.	Fisher
Barry	Cole, N. Y.	Flood
Beall	Colmer	Gathings
Bolton	Courtney	Harness, Ind.
Brooks	Crosser	Hart
Buckley	Curley	Hartley
Canfield	Daughton, Va.	Hays
Case, N. J.	Dawson	Hendricks
Chapman	De Lacy	Heselton

Holifield	Patterson	Simpson, Pa.
Hook	Peterson, Fla.	Starkey
Jennings	Peterson, Ga.	Sumner, Ill.
Kelly, Ill.	Pfeifer	Taylor
Kerr	Randolph	Thom
Landis	Reed, N. Y.	Thomas, N. J.
Lane	Rich	Vursell
Luce	Robertson, Va.	West
Lynch	Robinson, Utah	Winter
McGregor	Roe, N. Y.	Zimmerman
Morrow	Schwabe, Okla.	
Norton	Short	

The SPEAKER. Three hundred and sixty Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MAINTENANCE, OPERATION, AND EXPANSION OF SCHOOL-LUNCH PROGRAMS

The SPEAKER. The question is on the motion of the gentleman from Virginia that the House resolve itself into the Committee of the Whole House on the State of the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 3370) providing for a permanent school-lunch program participated in by the Federal Government, with Mr. JACKSON in the chair.

The Clerk read the title of the bill.

Mr. FLANNAGAN. Mr. Chairman, I move that all debate on the amendment offered by the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] to strike out title II be concluded in 30 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Virginia [Mr. FLANNAGAN].

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. SMITH].

(Mr. SMITH of Ohio asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Ohio. Mr. Speaker, I would like to have the attention of the gentleman from Virginia [Mr. FLANNAGAN], chairman of the Committee on Agriculture, who yesterday made the statement that the American Medical Association has endorsed this school-lunch program. I do not know what the gentleman was reading from when he made that statement, but I took the trouble to investigate this matter and I learn that the American Medical Association has not at any time taken any official action on any of the school-lunch bills.

The authority for my statement is Dr. Joseph F. Lawrence, director, Washington office, American Medical Association, who, at my request to obtain the facts, telephoned to the American Medical Association headquarters in Chicago yesterday afternoon and this is what he reported to me.

Mr. FLANNAGAN. All I know is that the Parent-Teachers Association furnished me with that endorsement.

Mr. SMITH of Ohio. That is not the endorsement of the American Medical Association.

Mr. FLANNAGAN. It was the endorsement of the American Medical Association.

Mr. SMITH of Ohio. Did that organization state that the American Medical Association endorsed this program.

Mr. FLANNAGAN. It did.

Mr. SMITH of Ohio. It actually did. Then the gentleman will grant that it was wrong in that statement?

Mr. FLANNAGAN. I will grant anything but that. I believe that they did.

Mr. SMITH of Ohio. The gentleman believes they did, but he has no official record of it.

Mr. FLANNAGAN. Well, I think I can get the record.

Mr. SMITH of Ohio. The gentleman thinks he can get the record that the American Medical Association endorsed this program?

Mr. FLANNAGAN. I do not think there is any question about it.

Mr. SMITH of Ohio. Notwithstanding the fact as I have presented it, the gentleman from Virginia insists that the American Medical Association endorsed the Federal school-lunch program. This, it seems to me, is most remarkable.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Chairman, title I of this bill, as has been pointed out several times, makes permanent the school-lunch program with which we have had 10 years of experience, and we know what we are doing.

Title II sets up a new program different from anything we have ever had before, and the committee report on page 2, at the end of the first paragraph, says so frankly. It says:

The background and experience of the United States Office of Education are thus also directed toward the support of the program for the first time.

Careful reading of the bill reveals that this "support" can become, in essence, direction of the program.

The most dangerous part of title II is section 204. Let me read the essential part of it:

Whenever the Commissioner—

That is the Commissioner of Education—

after reasonable notice and opportunity for hearing to the State educational agency, finds that with respect to money paid to the State under this title there is a failure to comply substantially with any provision required by section 203 (a) to be included in the plan, the Commissioner shall notify such State agency that further payments will not be made to the State until he is satisfied that there is no longer any such failure to comply.

Thus a State cannot get its money unless it first of all satisfies the Commissioner here in Washington.

Again, in title I there is a specific prohibition in section 107 that the Secretary of Agriculture shall not "impose any requirement with respect to administration, teaching personnel, curriculum, instruction, methods of instruction, or materials of instruction of any school," but that prohibition is omitted from title II dealing with the new functions to be given to the Office of Education.

I am perfectly willing to give the \$15,000,000 directly to the State educational agencies for them to use in pro-

moting, stimulating, developing, supervising, and directing this program as they see fit and in improving education with respect to nutrition, dietetics, and so forth; but I am not willing to give 50 cents to the United States Office of Education for it to use in carrying out such programs.

For years such attempts to get the United States Office of Education into the public school system have been continuously opposed by the Committee on Education. This is an attempt to get it in via the Committee on Agriculture. I am opposed to giving any Federal agency power or supervision over our school system for any purpose or in any form, including hot school lunches.

The surest safeguard against ever losing our essential liberties is to keep the Federal Government from ever getting the slightest control over our churches and our schools—that is, over the hearts and minds of our children.

Deplorable and dangerous as are inadequate food and inadequate education, far more dangerous is controlled education. Title II could make possible a step in that direction. I want to vote to continue the school-lunch program but I can do so only if title II is stricken out.

The CHAIRMAN. The Chair recognizes the gentleman from North Dakota [Mr. ROBERTSON].

Mr. ROBERTSON of North Dakota. Mr. Chairman, I am heartily in support of this amendment offered by the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN]. If title II is stricken from the bill, with good conscience, I could vote for the remainder of the bill. I hope this Congress will strike title II from the bill.

I favor the school-lunch program, but it must forever remain free from Federal direction.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, title II is not essential to the school-lunch program as it has been carried on heretofore. There are, in my judgment, many grounds of valid objection to the provisions of title II. I feel that the chances of the enactment of the legislation would be materially improved if title II should be stricken from the bill, and I hope that the amendment offered by the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] will be adopted. I believe that the majority of the membership of this House would like to see this program continued substantially in the same way that it has been carried on for 10 years, and I think the effect of striking out title II would tend to bring about that result, so I hope the amendment will be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Chairman, in view of what transpired yesterday and in view of the statement of the gentleman who preceded me, I think it will be for the best interests of all concerned that we adopt the amendment offered by the gentleman from Minnesota to strike out title II. In that way we can eliminate

some of the opposition that comes from those who are insisting upon States' rights.

Opposition based on some idea that this bill infringes on States' rights does not exactly ring true. We have appropriated billions of dollars for agricultural assistance to the States, and we heard nothing then about threats to States' rights. We have made appropriations for farm highways, secondary roads, community canning plants, to improve creeks, for flood control, to prevent soil erosion, to bring electricity to the farms, to feed hay to elk and deer and corn to migratory birds, for irrigation and reclamation projects and for dams, for fertilizer, and even for aiding in the cost of labor. Most of these appropriations have been on the same kind of cost-sharing basis that is provided in this bill to feed little children. Some have been outright grants or clear nonparticipating appropriations. We have authorized low-interest loans for farm land banks and mortgage banks, for factories and businesses, for home builders and home buyers, we have provided for river and harbor improvements, military posts, and what have you.

Now, Mr. Chairman, there are many large cities represented here which have never received any direct benefit from these millions upon millions of dollars appropriated for aid to all the States. Yet we have never raised the issue of States' rights against these many benefits. We have believed, in fact, that these appropriations, made directly to aid agriculture or the national rural community, have been of benefit to the whole Nation.

It seems to me, sometimes, that the gentlemen who have such reverence for States' rights only remember that reverence when human rights are in question. When we are considering legislation or appropriations to benefit property rights, they do not seem to think of States' rights; but when we are talking about a bill to make it possible to make better citizens by feeding them while they are children, and by teaching them about food values and food preparation, this States'-rights issue suddenly becomes very important. It seems to me that the people of our Nation are our greatest resource and we should do everything we can to make stronger and healthier people.

We have aided the corn growers, the tobacco growers, the cotton growers, the peanut growers, the cattle growers, and even the cattle feeders.

But when it comes to feeding hungry children on the city streets, or in village lanes, and providing aid in procurement of nourishing food for them, then this argument of States' rights is dragged out, dusted off, and brought on the floor.

I remember when, under a Republican administration, the great Republican depression was just beginning to show signs of being on its way, and we appropriated approximately \$50,000,000 to help feed cattle and hogs and sheep in drought-stricken sections of the country. Crop conditions improved and it was not necessary to expend the money for its original purpose. Then those deplorable conditions came upon us; people were

hungry, for they were out of a job and had no money. Some of us made an effort to use that great fund, intended to be used for cattle and swine, for the benefit of the people. We were turned down. Then and now, there are some who are more interested in livestock than in people.

For the sake of the argument I will concede that the children of large cities are in the greatest need of this aid and to that extent will be the most benefited; and perhaps there are more of them. But is it not true that only five States—New York, Illinois, Pennsylvania, Ohio, and Michigan—pay into the Federal Treasury more than half of all Federal tax collections? Yes, Mr. Chairman; it is true, as shown by the report of 1943 tax collections in table 232 of the Statistical Abstract of the United States; and so I insert at this point, as part of my remarks, a portion of that table showing Federal income tax collections in 1943, the latest year available, by States.

[From Statistical Abstract of the United States, 1944-45, H. Doc. No. 38]

No. 282.—Internal revenue receipts, by States and Territories

[All figures in thousands]

Division, State, or Territory	Fiscal year 1943	
	Total, 1943 ¹	Income taxes, 1943
Total.....	22,371,386	10,464,769
New England.....	1,648,954	793,951
Maine.....	71,115	39,079
New Hampshire.....	42,083	23,139
Vermont.....	32,143	13,577
Massachusetts.....	800,562	423,455
Rhode Island.....	156,600	66,468
Connecticut.....	546,451	228,233
Middle Atlantic.....	7,157,329	2,293,251
New York.....	4,348,369	2,025,623
New Jersey.....	801,091	370,060
Pennsylvania.....	2,007,869	897,568
East North Central.....	5,652,894	2,744,908
Ohio.....	1,625,956	881,316
Indiana.....	497,623	205,186
Illinois.....	1,880,689	878,726
Michigan.....	1,187,971	604,474
Wisconsin.....	400,656	175,205
West North Central.....	1,286,578	676,146
Minnesota.....	306,702	160,702
Iowa.....	137,695	89,003
Missouri.....	540,306	249,925
North Dakota.....	15,946	11,746
South Dakota.....	16,585	10,891
Nebraska.....	105,302	53,058
Kansas.....	164,042	100,821
South Atlantic.....	2,700,255	995,619
Delaware.....	315,308	147,228
Maryland.....	422,740	192,642
District of Columbia.....	165,932	107,252
Virginia.....	563,524	128,797
West Virginia.....	99,618	52,617
North Carolina.....	672,382	125,358
South Carolina.....	105,881	43,433
Georgia.....	198,979	107,009
Florida.....	155,890	91,284
East South Central.....	774,089	278,912
Kentucky.....	420,607	84,421
Tennessee.....	162,141	88,947
Alabama.....	142,431	74,112
Mississippi.....	48,911	31,431
West South Central.....	912,980	525,526
Arkansas.....	54,749	35,663
Louisiana.....	165,360	87,491
Oklahoma.....	156,757	79,185
Texas.....	536,113	323,187
Mountain.....	325,508	195,512
Montana.....	40,414	24,700
Idaho.....	31,010	19,411
Wyoming.....	16,598	11,795
Colorado.....	117,562	62,974
New Mexico.....	19,106	13,790
Arizona.....	33,488	21,673
Utah.....	45,409	25,113
Nevada.....	21,920	16,056
Pacific.....	1,828,883	912,380
Washington.....	287,026	143,855
Oregon.....	130,530	72,971
California.....	1,411,327	695,553

¹ Includes excess profits.

Mr. Chairman, like all the other gentlemen here I have received hundreds, yes, thousands, of letters from all over the United States urging passage of this bill. They came from 42 of the 48 States, from civic clubs; city, county, and State officials; from welfare and social and educational workers; from school children and their teachers.

I should like to insert many of these in the RECORD, but in the interest of saving space I will mention only a few. Let me draw the attention of the House to the endorsement given the bill by the National Farmers Union, the American Farm Bureau Federation, the National Council of Farmer Cooperatives, and the National Grange. These farm organizations realize that originally the school-lunch program was designed to help take from the glutted granaries of the Nation the agricultural commodities people could not buy and put them in the hungry stomachs of children who had no money. The children got food; the farmers got cash. Some of the farm representatives seem to have forgotten that today.

Then, Mr. Chairman, I want to insert the text of a letter from a big business organization with headquarters in Chicago, the Independent Grocers' Alliance of America. Here is what the president, Mr. Frank J. Grimes, said in his letter to me:

DEAR MR. SABATH: There is a piece of legislation coming up within the next week or two that is of the utmost importance.

I refer to school-lunch bill, H. R. 3370.

I strongly urge your support of this school-lunch bill, making the appropriation \$100,000,000. This school-lunch program confers more direct benefit to children in every community than anything our Government is now doing.

A poll taken in any congressional district of Illinois would indicate that the people themselves are overwhelmingly in favor of this legislation. This is one piece of important and beneficial legislation on which all Members of Congress, regardless of party, should unite and unanimously approve.

Congress has very little opportunity to do something of direct and lasting benefit for the children of our country. Here is the opportunity, and I do hope that we can obliterate party lines in doing something for these boys and girls.

Very truly yours,

J. FRANK GRIMES,
President.

A few days ago we heard from our honored and kindly majority leader about the wonderful work being done in the stockyards district of Chicago, where 100,000 people live. I have a splendid and thoughtful letter from the Reverend Roman Berendt, school-lunch chairman of the Back of the Yards Neighborhood Council, which is the organization of which the famous and beloved Most Rev. Bernard J. Sheil is honorary director. The letter is, unfortunately, too long for quotation.

But here, Mr. Chairman, is a letter from Paul A. Wobus, director of the southeast Ozark area for the Save the Children Federation, which shows that it is not just the city children who need the hot lunches. Mr. Wobus writes from Manchester, Mo., and I cannot resist quoting some parts of it:

The hot-lunch program means more to the children of the Ozarks than I can say. There have just come to me two letters from schools we are sponsoring, stating how much the lunches are helping the children. The teacher of Hogan School writes, "The children are so happy to have lunches now." We helped Hogan start lunches on January 21.

The teacher of Bartlett School, Shannon County, writes: "I know that many of the pupils attend school without the benefit of a nutritious breakfast, and in a few cases, no breakfast at all."

Wherever there is a hot-lunch program, teachers are emphatic in their praise of it, for it not only makes for improved health but increases their alertness and response. School attendance is more nearly perfect in schools which have hot lunches.

It would be a dire calamity to close the school lunchrooms for lack of funds, but that will happen unless there is an appropriation made by Congress. Most Ozark schools could not have a lunch program without Federal aid.

William E. Coates, head of the Newberry Avenue center in my district, wired me:

Children of your district need the school-lunch program. Please support H. R. 3370.

John T. Bernard, former congressman, now director of political action for a big union, telegraphed:

Our children's health must be protected and improved. Strongly urge you to fight and vote for school-lunch bill.

I will quote no further; but I want to mention, from the scores of organizations that wrote me urging the passage of this legislation, the National Congress of Parents and Teachers, from Chicago; the Council of Churches of Buffalo; Save the Children Federation of New York; Texas State Teachers Association; National Catholic Welfare Conference; National School Lunch Room Conference; Chicago Board of Education.

(Mr. SABATH asked and was given permission to revise and extend his remarks.)

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, from the words that have been uttered in the 3 days of debate on this question one would come to the conclusion that this is a new venture in Government. In West Virginia the hot school-lunch program has been in operation for the past 9 years. The people who are administering it, the members of the Parent-Teachers Association and the home-demonstration agents, are such a high class of citizens that I would be willing to entrust this program to them without any amendments to the bill as introduced. I am for the bill as introduced, and I will be for it even if it is amended.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. COLE].

Mr. COLE of Missouri. Mr. Chairman, I am for a hot school-lunch program. I want to vote for legislation to provide a hot school-lunch program, but I cannot vote for the legislation now before the House if title II is permitted to remain in this bill. I know that there are many others on both sides of the aisle who feel as I do, and I do not believe this bill will pass unless title II is stricken from it.

The time has come for us to get rid of Government bureaus rather than create new ones. Title II of this bill creates a new agency in the Bureau of Education. It authorizes an appropriation of \$15,000,000 a year to enable the Commissioner of Education and the Federal Security Administrator to carry out its provisions. It provides \$175,000 a year to cover the cost of the new agency it creates. Scores of additional high-paid employees will be added to the pay roll under its provisions.

Furthermore—and this is a most dangerous provision—under this title the Commissioner of Education can pass judgment on every State plan and grant no funds to any State until its plan has received his approval. In other words, he can in effect dictate the terms of any State plan by refusing to approve it until his terms are met. The only review of his decision is by appeal to the United States District Court as provided in section 204 of this title. In my opinion, title II would open the door to Federal control of the educational system of our States, and this is one thing that we must always prevent.

I sincerely hope that this amendment will be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from New Mexico [Mr. FERNANDEZ].

Mr. FERNANDEZ. Mr. Chairman, yesterday we listened to a great deal of argument on the Powell amendment, which prohibits any discrimination on penalty of losing the right to lunch-program money. I did not have an opportunity to express myself on that amendment so I take this opportunity in the 2 minutes allotted to me of speaking on that amendment rather than with reference to Title II. I voted against the Powell amendment yesterday and I hope to have the opportunity of voting against it again today. For 10 years my state has distributed these funds equitably and without the slightest objectionable discrimination. I say objectionable discrimination because in my state we do have certain sections that have many low income people of a class which some people are pleased to denominate a minority. My state, not having enough money, has discriminated at times in favor of those people, and I am sure that is true in other States, for human nature and human compassion are the same everywhere. The Powell amendment makes it impossible to do so. Furthermore, if there should be objectionable discrimination we punish, as the gentleman from Connecticut so well said yesterday, we punish the wrong people—we punish the children. I hope that on passage of the bill the Powell amendment is stricken out.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. STEWART].

(Mr. STEWART asked and was given permission to revise and extend his remarks.)

Mr. STEWART. Unless the amendment to strike title II is adopted and the Powell-Folger amendment is rejected, I cannot support this bill. If title II is left in this bill, it will put the nose of the Federal Government under the tent, so to

speak, giving them entree toward prescribing policies and curricula of our State schools. If the Powell-Folger amendment is adopted, those in authority could say that Oklahoma was not eligible for school-lunch funds because we maintain separate schools for Negroes, thereby discriminating because of race, creed, color, or national origin.

I have always favored hot lunches as we have had them heretofore, but when it comes to the point of Congress saying we have to have schools where all races can attend, you will just have to leave me out because I refuse to go along.

I agree with the school of thought that the word "discrimination," as used in the Powell-Folger amendment, is broad enough to destroy the Oklahoma separate school system. I know how a lot of things have been muddled up here in Washington. A board could be appointed to administer this school-lunch program on the order of the Fair Employment Practice Commission which was made up of a minority group whose function was to deal with the whole people. Oklahoma is a big taxpayer and maintains adequate schools and ample money to where the Negro can enroll outside of the State in any institution of higher learning where a single school system is in vogue. At present there is no racial question in Oklahoma and there is no sense in stirring up trouble by the adoption of this amendment.

Webster's Unabridged Dictionary defines discrimination as "That which discriminates; a mark of distinction; to separate by discerning differences; to distinguish, as 'to discriminate the goats from the sheep.'" I am interpreting the amendment to mean what it says and that is before the States that have separate schools receive any of this fund, they will have to do away with a separate school system and love of public office is not sufficient for me to say to the people of my State: "You may participate in school-lunch funds but you might have to adopt a single school system to where the white children and Negro children will have to go to school together, before you can qualify."

The CHAIRMAN. The Chair recognizes the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Chairman, I am for free lunches for children in schools. I am sorry that in this bill some political propaganda has been incorporated. It has no business in the school-lunch program. I hope that that issue will some day be fought out without making the children the vehicle with which to write it into law.

So far as I am concerned I believe in the school-lunch program. I come from a State that has had from its very inception free education. I believe these lunches should be given regardless of how wealthy or how poor the parents may be.

On the other hand, I am not over-exercised about what the medical association may say or may not say, because I know what the medical association does not know would write many more books than what they do know. They are no more infallible than my own profession—the legal fraternity. Both of these are great professions. They have done a

great deal to make life worth while, but there is plenty of room for improvement.

I am sure the medical association knows less about how to feed and bring up children than the parents of the children. I know that in spite of them, you find scrawny and undernourished children in the homes of the wealthy just as often as you do in the homes of the poor. The idea of always telling somebody what he ought to do or what he ought not to do is foolish. It is not for the best interest of the people of this Nation.

I am in favor of school lunches, but I am against the extension of bureaucracy. Therefore, I shall support the elimination of title II. I feel the time has come when we should permit the people who have the responsibility of bringing up children to do so in their own way. I certainly am opposed to building up an educational bureaucracy—a bureaucracy that would attempt to direct the thinking of the people of the United States—a bureaucracy that would prescribe the rules and regulations, how children should be dressed, or how they should eat, or how their lunches should be prepared. We have had enough experience with bureaucracy.

We have heard a lot of exaggerated statements of the benefits of these lunches. It has been claimed that children have gained 14 pounds in a few weeks. These statements are so wild and far from the facts that they become ridiculous. Let us keep our balance and give the school children hot lunches, but knowing at the same time that that is not the cure-all, and remembering that there will still be, in spite of free lunches, scrawny and undernourished children, not because they have not enough to eat, but because their bodies do not assimilate the food they do eat. The trouble is not with the food but with its assimilation.

(Mr. LEMKE asked and was given permission to revise and extend his remarks.)

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I wonder how many Members realize what a serious thing the Department of Education is in taking over the educational system of the country. Those who do not should obtain and read the 1944 report of the Commissioner of Education and should look at the Budget submission for 1946 for that same organization. They would then realize what a danger it is to have the Federal Government allocating funds to the school systems, and how they are planning to get control of that whole picture. To my mind it is a menace to the public school system of America.

My people had school lunches long before there was any Federal distribution. They can have school lunches without it. I believe every other State government can afford it better than the Federal Government.

I hope this amendment is adopted, and that the bill itself will be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. HOPE] for 2 minutes.

Mr. HOPE. Mr. Chairman, I am sorry there seems to be so much misapprehen-

sion as to what is contained in title II of this bill. All I can ask is that every Member carefully read title II and then decide for himself if there is anything in it which would bring about control of education in the States by the United States Office of Education.

You have exactly the same provision in that title that you have in the case of every other Federal-aid project. Somebody in Washington must decide whether or not the requirements for Federal aid have been met. There is no one on this floor who is more opposed to Federal aid to education than I. My constituents know that I have consistently opposed it. My school people know it. I would not for a moment support this bill or any other bill that contained the least semblance of Federal control over education. This bill has nothing in it which would give the Commissioner of Education any opportunity to control education in the States.

I am particularly interested in title II because I want to see the little community schools get the benefits of this bill. In the large cities the large school systems do not need the provisions of title II. They are able to get the equipment. They are able to get instructors. They are able to carry on the program. But this \$15,000,000 in title II is set up particularly to enable the small communities, who cannot furnish that service and who do not have the equipment, to participate in the program. I hope that those representing the cities and the larger communities will not deprive the smaller schools of an opportunity to participate in the program by voting title II out of the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. WOOD].

(Mr. WOOD asked and was given permission to revise and extend his remarks.)

Mr. WOOD. Mr. Chairman, Daniel Webster once said that the strength of the Nation depends not upon the abundance of its revenue, nor upon the strength of its fortifications, nor upon the beauty of its public buildings, but it consists in the number of its cultivated citizens of enlightenment and character—here is to be found its chief strength and real power. A glance down the long vista of human progress reveals the profound truthfulness of that utterance. How best to develop the highest degree of intelligence and character in the future citizens of America should challenge the earnest and nonpartisan thought and action of every Member of this body who is charged with the responsibility of formulating the rules which govern the conduct, protect the civil rights, and promote the progress of the people of this Republic. There will be, I believe, no controversy with an assertion that this objective may be achieved only by making available to the youths of our generation every means within our power to enable them to obtain the highest possible degree of efficiency, both mentally and physically. In this process it must be admitted that the development of strong bodies is no less important than the development of trained minds. That in many sections of America there exist

economic conditions which are daily depriving countless thousands of our youths of the opportunity of such development is a truth that has gone unchallenged on this floor in 3 days of debate on this legislation. That this condition can and will be improved by the continued participation on the part of the Federal Government in the financing of the school-lunch program is a truth which I maintain cannot be successfully disputed.

Entertaining, as I do, a most profound conviction of these truths, and on account of my own personal experience as a youth, realizing the tragic difficulties with which many of our less fortunate children are confronted in their struggle for a place in the sunshine of equal opportunity, I have a most compelling desire to lend my support to a continuation of Federal participation in the school-lunch program. Profound, however, as is that desire, I cannot gratify it at the price called for under the terms of the so-called Powell amendment, adopted by the committee on yesterday. Let me remind you again of this provision: "No funds made available pursuant to this title shall be paid or disbursed to any State or school if in carrying out its functions under this title it makes any discrimination because of the race, creed, color, or national origin of the children."

When a representative of the Thirteen Original Sovereign States of America formulated our Federal Constitution, they delegated to the Central Government only limited power, specifically enumerated, and as specifically reserved to the several States all other powers. The right to establish and control a system of public education is not a power so delegated to the Central Government, and is therefore reserved to the States. The growth and development of our system of public education has been fraught with many difficulties. From the beginning of the few community schools the system has gradually extended to townships and municipalities, then to counties and States, and at each step it was met with the same arguments of resistance as have been advanced here during these deliberations. In the beginning of the system, public funds were made available to pay only a portion of the compensation of the instructors. The system has gradually grown until today public funds are defraying not only all the compensation of instructors but the cost of erecting and maintaining buildings and facilities for housing, as well as transportation of the children. Even text books and other material and equipment are paid from public funds. Can it be seriously contended that the building of strong bodies is less important than these services?

Of course, it is vehemently contended by those who oppose this program here that this question of youth training and development is purely local. May I inquire just how local it is? We boast that we are all citizens of one nation, indivisible. Certainly the destiny of the Nation must be measured by the standard of the citizens of tomorrow, who are the youths of today. Is it not important, then, that we continue to make available to this important program the money called for in this bill. It is an insignifi-

cant sum compared to what we are expending for temporal things. Furthermore, in making it available, is it fair to circumscribe its use by language so general and uncertain that its bureaucratic construction may be a matter of conjecture to each of us.

In a society so complex and divergent in its nature as that of the various sections of America, it is utterly impossible to formulate any rule or set of rules by which the various educational systems in every section can be governed and controlled without bringing about such tragic dislocations in our social and domestic structure as to endanger the very foundation of our Government, and yet that is exactly what this amendment will do. It has been said by the sponsor of this amendment, and by some who have accepted it, that it neither adds to nor detracts from the provisions of the bill. If this be true, then pray why write it into the bill at all? Let us not be misled by these protestations of the innocence of its provisions. The term "discriminate" is a term which can be construed to meet the whims of the construing authorities, who, in this instance, will be some department head here in Washington, who may have no knowledge of or sympathy with the local problems of any section of America. On this question of a construction of the term "discriminate," the recent decision of the United States Supreme Court affecting the segregation of races on railway trains is most illuminating.

Whether wittingly or unwittingly, I charge that the sponsor of this amendment is being used by the enemies of this legislation for the purpose of sabotaging this bill. To leave to bureaucratic interpretation the term "discrimination" holds so great a danger that many States will be deprived of the benefits of the bill while being taxed to finance the program that many sincere advocates of the program cannot support the bill as thus amended. It has been repeatedly said here, without a single voice being lifted in contradiction, that in the 10 years of the life of this program, not one charge of discrimination has been made anywhere. Why, then, I ask in utmost sincerity, should we suddenly anticipate that there is such imminent danger of discrimination as to require the inclusion of this provision which, in my opinion, sounds the death knell of the entire program? Would it not be more in keeping with a proper discharge of our responsibility for the welfare of the youths of this generation to strike from the bill this pernicious provision and extend the program without bitterness or strife, or sectional animosity, and with the consciousness that we are thus striving to merit the approbation of the Messiah, "Inasmuch as you have done it unto the least of these"?

(Mr. COLE of Missouri asked and was given permission to revise and extend the remarks he recently made.)

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. VOORHIS] for 2 minutes.

Mr. VOORHIS of California. Mr. Chairman, although I agree with the interpretation of title II and the argument that the gentleman from Kansas [Mr.

HOPE] has just made, it is title I that contains the heart of this bill. In the brief time I have, I am going to make an appeal for a vote in favor of that part of the bill, regardless of what the House decides to do about title II.

I have all kinds of evidence before me. I offer you just one piece of it. In one school, where the school lunch was put into effect, the children of that school gained, on an average, 14 pounds in the 3 months thereafter. They needed it. It did them great good. It was part of a sound educational program, because, without the physical and mental stamina which the lunch gave them, they could not take full advantage of the public education that was offered.

Mr. Chairman, we could well take our cue from certain basic moral principles. The one from which I take my cue on this bill is this: I believe it is wrong for us to waste food as long as there are children in America who have need of that food. Already you have set up agricultural programs which pledge this Nation to a reasonable maintenance of farm prices which in effect will require the spending of every dime that is in this bill now many times over in Government purchases of surplus food crops. The only question is whether if the local people have established a school-lunch program Congress will give them a chance to procure a part of this food to make that lunch worth while by means of a Federal contribution through their State educational agency.

We are in an age of superabundant productive powers, and we are going to take our choice on this bill and on other occasions between the course of action of artificial restriction of that production by an increasing regulation by government to prevent an abundant production and a rising living standard or else we will attempt to increase the standard of living of the people and to increase the demand for our products as fast as the power to produce them increases. This bill seeks to say that we will increase the demand for food in America instead of artificially reducing the supply, and the bill says that it is a part of the fundamental principle of the universal right to a good education for all that the children of the Nation shall be enabled to have the food they need if they are to do a good job of making the most of their educational opportunity.

The CHAIRMAN. The time of the gentleman from California has expired.

The Chair recognizes the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] for 2 minutes.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, if Congress is to make loans of billions of dollars to other countries in the world with no expectation of repayment, it seems to me we can well afford to support the appropriation for \$50,000,000 for school lunches provided in title I.

Title II, which my amendment seeks to strike from the bill, contains the possibility of creating a new agency in the Bureau of Education to further control affairs of the school-lunch program throughout the country.

The gentleman from Kansas does not fear the danger which I express but I

want to call particular attention to the bill which states:

Each State having an approved plan under this title shall be entitled to be paid an amount limited as provided in subsection (c)—

And so forth. Who approves this approved plan? The Commissioner of Education is required to approve any State plan which as determined by the Commissioner complies with the provisions of this section. It is up to him to approve it. Therefore when he is required to approve it he can also write the specifications in the plan and dictate what the States must do in order to get the Federal grant. In view of this danger, I feel it is up to us to eliminate the possibilities conferred upon him by this section. Strike title II from the bill and then we will be saving money and removing any danger of Federal control.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

The Chair recognizes the gentleman from Rhode Island [Mr. FORAND].

Mr. FORAND. Mr. Chairman, I sincerely hope that this school-lunch program will pass. Some of our colleagues on yesterday and again today have stated that they will vote against the bill if the Powell amendment remains in the bill.

Now, what is the Powell amendment? It reads like this:

No funds made available pursuant to this title shall be paid or disbursed to any State or school if in carrying out its functions under this title it makes any discrimination because of race, creed, color, or national origin of children.

I am not a lawyer, but I have discussed the language of the Powell amendment with many of my colleagues who are lawyers, and they advise me that this language neither adds to nor detracts anything from the bill.

Whether it is left in the bill or it is taken out will make no change in the operation of the school-lunch program.

I want the school-lunch program to continue, and whether or not the Powell amendment remains in the bill I shall vote for it, and I urge my colleagues to take a similar position. Let us not punish the children of America on the weak excuse that the Powell amendment is objectionable.

(Mr. FORAND asked and was given permission to revise and extend his remarks.)

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Chairman, it is my sincere hope that the committee will vote to strike out title 2 of this bill. Title 2 creates a new agency in the Bureau of Education and this is no time to expand Federal agencies. Not only that, but I am vigorously opposed to any Federal legislation that would assume direction or interference in our public, parochial, and private school systems. We must guard against any legislation that would be the entering wedge for Federal control of the schools of our State.

While it is true that the pending legislation provides only for supervision of the nutritional requirements of school lunches, it is a step in the wrong direction.

If it is assumed that it is necessary to have direction of food, what is to prevent future legislation authorizing the type of clothing and dress of these same children? That is the pattern that has been followed in some of our European nations and brought about school systems under regulations and supervision of totalitarian governments. If title 2 is not stricken from the bill I will vote against it.

Title 1 of this bill, which provides for a school-lunch program, is a continuation of the present school-lunch program. In my opinion the proposed legislation would soon take the Federal Government out of the school-lunch project and place it in the hands of the States where it belongs.

(Mr. CARLSON asked and was given permission to revise and extend his remarks.)

Mr. WHITE. Mr. Chairman, there is submitted herewith for the consideration of the members of the Committee the following communications from people of the First Congressional District of Idaho in support of the provisions of H. R. 3370:

BANCROFT, IDAHO, February 8, 1946.
Representative COMPTON WHITE,
House of Representatives

Washington, D. C.:
Please support H. R. 3370, aid to school-lunch bill. Vitally important.

NORTH GEM PARENT-TEACHERS ASSOCIATION,
Bancroft, Idaho.

MOSCOW, IDAHO, February 5, 1946.
Hon. COMPTON I. WHITE,
House of Representatives,
Washington, D. C.:

Urge your support of House bill No. 3370, and to school-lunch program. The program in Moscow serves 500 children a day. Stoppage would create hardships for many.

Respectfully,

MOSCOW PARENT-TEACHERS ASSOCIATION.

WILDER, IDAHO, February 5, 1946.
Representative COMPTON I. WHITE,
Washington, D. C.:

Please support H. R. 3370, aid to school-lunch program. Feeding 400 farm children through Government aid. Feel this program is a distinct benefit.

Mrs. WILLIAM GROSS,
President, Wilder Parent-Teachers Association.

MOSCOW, IDAHO, February 6, 1946.
Hon. COMPTON I. WHITE,
House Office Building:

Request your favorable vote H. R. 3370, school-lunch program.

MOSCOW HOMEMAKERS CLUB.

LEWISTON, IDAHO, January 30, 1946.
Representative WHITE:

Second district of Idaho Congress of Parents Teachers Association urge your support of House Resolution 3370, aid to school-lunch bill.

Mrs. ULLIE HARDMAN,
President, Second District Parent-Teachers Association.

PAGE, IDAHO, February 11, 1946.
Mr. COMPTON WHITE,
Washington, D. C.

DEAR SIR: I am writing you in behalf of the Silver King School at Silver King, Idaho, and wish to ask you to do whatever is possible to urge maintenance of bill H. R. 3370 for school lunch aid.

The Parents and Teachers Association has taken hot lunches as a project this year in

our school, and we are attempting to equip a kitchen and arrange for the functioning of this program at the beginning of the next school term.

We will greatly appreciate anything you can do to help us.

Yours truly,

Mrs. DEVERE POLLOCK,
Secretary of Parents and Teachers Association.

CALDWELL, IDAHO, October 22, 1945.
Representative COMPTON I. WHITE,
House of Representatives,
Washington, D. C.

DEAR SIR: The Parent-Teachers Association of the Washington Junior High in Caldwell, Idaho, have requested me to write you in regard to H. R. 3370, bill No. 922. They wish to see the legislation passed which will favor the hot-lunch program.

Yours truly,

MARGARET HOWARD,
Secretary of Parent-Teachers' Association, Washington Junior High, Caldwell, Idaho.

NAMPA, IDAHO, November 15, 1945.
Representative COMPTON WHITE,
Washington, D. C.

DEAR SIR: Our Parent-Teachers Association of 140 members urges you to vote for the passage of H. R. 3370, the Government assistance for hot-lunch projects.

Sincerely,

Mrs. LOUIS IHLI,
President of Parent-Teachers Association, St. Paul's Parochial School, Nampa, Idaho.

SUNSHINE STAR ROUTE,
Kellogg, Idaho, February 5, 1946.
Representative COMPTON WHITE,
Washington, D. C.

DEAR MR. WHITE: The Elk Creek Parent-Teachers' Association wishes to urge continuation in power of bill H. R. 3370 for school-lunch aid.

Yours truly,

Mrs. VELMA HERDLICK,
Secretary, Elk Creek, Parent-Teachers' Association.

NAMPA, IDAHO, February 9, 1946.
COMPTON WHITE,
Idaho Representative to Congress,
Washington, D. C.:

Midway Parent-Teachers' Association, membership 48, favors passage of H. R. 3370.

Mrs. W. J. GAITHER,
Secretary of Parent-Teachers' Association.

KELLOGG, IDAHO, February 5, 1946.
COMPTON WHITE,
Washington, D. C.

DEAR SIR: The Shoshone County Council of the National Parent-Teachers' Association wishes to go on record as urging the maintenance of bill H. R. 3370 for school-lunch aid.

Sincerely yours,

MARJORIE STEPHENS
(Mrs. Elton Stephens),
Council Secretary.

[Mr. MANSFIELD of Montana addressed the Committee. His remarks appear in the Appendix of today's RECORD.]

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. FLANNAGAN] for 2 minutes, to conclude the debate.

Mr. FLANNAGAN. Mr. Chairman, I want to be perfectly frank with the membership. While I think we need title II in order to have a well-rounded school-lunch program, yet if title II is going to be the means of crucifying between six and ten million boys and girls of Amer-

ica, of taking from them a hot school lunch, then I say take it out, because with this title deleted we will have the same school-lunch program under title I that we have today.

But I want to say further that in order to have a well-rounded program, in my opinion, title II is necessary.

Title II does not vest in the Federal Commissioner of Education the dictatorial powers some Members believe it does. It is patterned, for instance, after the legislation giving Federal aid to roads. Before the State can obtain Federal funds for road building they have to build the road according to certain specifications. The only thing the Federal Road Commissioner does is to see that the law is complied with; that is, that the State roads meet the Federal standards. That is true in this instance. The Congress writes the program under title II and the only thing the United States Commissioner of Education has to do with it is to see that the program as written by Congress has been observed by the States. That is all.

The CHAIRMAN. The time of the gentleman has expired.

All time has expired on the pending amendment. The question is on the amendment offered by the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JACKSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 3370) to provide assistance to the States in establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes, pursuant to House Resolution 495, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. STEWART. Mr. Speaker, I ask for a separate vote on the Powell amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote is demanded.

The Clerk read as follows:

On page 9, line 6, after the period, insert the following: "No funds made available pursuant to this title shall be paid or disbursed to any State or school if, in carrying out its functions under this title, it makes any discrimination because of race, creed, color, or national origin of children."

The SPEAKER. The question is on the amendment.

The question was taken, and the Chair being in doubt, the House divided; and there were—ayes 156, noes 67.

Mr. HARRIS and Mr. HOFFMAN demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 258, nays 110, not voting 62, as follows:

[Roll No. 28]

YEAS—258

Allen, Ill.	Gillette	Morgan
Andersen,	Gillie	Murdock
H. Carl	Goodwin	Murphy
Andrews, N. Y.	Gordon	Murray, Wis.
Angell	Gorski	Neely
Arends	Graham	Norblad
Arnold	Granahan	O'Brien, Ill.
Auchincloss	Grant, Ind.	O'Hara
Bailey	Green	O'Konski
Barrett, Pa.	Griffiths	O'Neal
Barrett, Wyo.	Gross	O'Toole
Barry	Gwinn, N. Y.	Outland
Bates, Mass.	Gwynne, Iowa	Pfeifer
Bender	Hagen	Philbin
Bennet, N. Y.	Hale	Phillips
Bennett, Mo.	Hall	Pittenger
Bishop	Edwin Arthur	Ploeser
Blackney	Hall	Plumley
Bloom	Leonard W.	Powell
Bradley, Mich.	Hand	Price, Ill.
Bradley, Pa.	Hart	Quinn, N. Y.
Brehm	Havenner	Rabaut
Brown, Ohio	Hedrick	Rabin
Brumbaugh	Heffernan	Ramey
Buck	Henry	Rayfield
Buffett	Herter	Reed, Ill.
Bunker	Hess	Rees, Kans.
Burgin	Hill	Resa
Butler	Hinshaw	Rich
Byrne, N. Y.	Hoch	Robertson,
Byrnes, Wis.	Hoeven	N. Dak.
Campbell	Hoffman	Robbison, Ky.
Canfield	Holifield	Rockwell
Cannon, Mo.	Holmes, Wash.	Rodgers, Pa.
Carlson	Hope	Roe, N. Y.
Carnahan	Horan	Rogers, Mass.
Case, S. Dak.	Howell	Rogers, N. Y.
Celler	Huber	Rooney
Chelf	Hull	Rowan
Church	Izac	Ryter
Clason	Jackson	Sabath
Clements	Jenkins	Sasscer
Clippinger	Jensen	Savage
Cochran	Johnson, Calif.	Schwabe, Mo.
Coffee	Johnson, Ill.	Scrivner
Cole, Mo.	Johnson, Ind.	Shafer
Corbett	Johnson, Okla.	Sharp
Crosser	Jones	Sheppard
Cunningham	Jonkman	Sheridan
D'Alesandro	Judd	Simpson, Ill.
Dawson	Kean	Simpson, Pa.
De Lacy	Kearney	Smith, Maine
Delaney,	Kec	Smith, Ohio
James, J.	Keefe	Smith, Wis.
Delaney,	Kelley, Pa.	Snyder
John J.	Kelly, Ill.	Somers, N. Y.
D'Ewart	Keogh	Spence
Dingell	King	Springer
Dirksen	Kinzer	Stefan
Dolliver	Kirwan	Stevenson
Dondero	Knutson	Stigler
Douglas, Calif.	Kopplemann	Stockman
Doyle	Kunkel	Sullivan
Dworshak	LaFollette	Sumner, Ill.
Eaton	Latham	Sundstrom
Elliott	Lea	Taber
Ellsworth	LeCompte	Talbot
Elsaesser	LeFevre	Talle
Elston	Lesinski	Tibbott
Engel, Mich.	Lewis	Tolan
Engle, Calif.	Link	Torrens
Fallon	Lynch	Towe
Feighan	McConnell	Traynor
Fenton	McCowan	Vorys, Ohio
Flood	McDonough	Wadsworth
Fogarty	McGlinchey	Walter
Foiger	McMillen, Ill.	Wasielewski
Forand	Madden	Weichel
Fuller	Mansfield,	Weich
Fulton	Mont.	White
Gallagher	Marcantonio	Wigglesworth
Gamble	Martin, Iowa	Wilson
Gardner	Martin, Mass.	Wolcott
Gavin	Mason	Wolfenden, Pa.
Gearhart	Mathews	Wolverton, N. J.
Geelan	Michener	Woodhouse
Gerlach	Miller, Calif.	Woodruff
Gifford	Miller, Nebr.	
Gillespie	Monroney	

NAYS—110

Abernethy	Bell	Camp
Allen, La.	Bland	Cannon, Fla.
Almond	Bonner	Clark
Anderson, Calif.	Boren	Clevenger
Andresen,	Boykin	Cooley
August H.	Brooks	Cooper
Andrews, Ala.	Brown, Ga.	Cox
Barden	Bryson	Cravens
Bates, Ky.	Bulwinkle	Crawford
Beckworth	Burch	Daughton, Va.

Davis	Kilburn	Riley
Domengeaux	Kilday	Rivers
Doughton, N. C.	Lanham	Rizley
Drewry	Larcade	Roe, Md.
Durham	Lemke	Rogers, Fla.
Earthman	Lyle	Russell
Fernandez	McGehee	Sikes
Flannagan	McKenzie	Slaughter
Gary	McMillan, S. C.	Smith, Va.
Gibson	Mahon	Sparkman
Gore	Maloney	Stewart
Gossett	Manasco	Sumners, Tex.
Granger	Mansfield, Tex.	Tarver
Grant, Ala.	May	Thomas, Tex.
Gregory	Mills	Thomason
Hancock	Morrison	Trimble
Hare	Murray, Tenn.	Vinson
Harless, Ariz.	Norrell	Voorhis, Calif.
Harris	Pace	Weaver
Hébert	Patman	West
Hobbs	Pickett	Whitten
Holmes, Mass.	Poage	Whittington
Jarman	Price, Fla.	Wickersham
Johnson,	Priest	Winstead
Luther A.	Rains	Wood
Johnson,	Rankin	Worley
Lyndon B.	Reece, Tenn.	Zimmerman
Kefauver	Richards	

NOT VOTING—62

Adams	Ervin	Mundt
Baldwin, Md.	Fellows	Norton
Baldwin, N. Y.	Fisher	O'Brien, Mich.
Beall	Gathings	Patrick
Biemiller	Halleck	Patterson
Bolton	Harness, Ind.	Peterson, Fla.
Buckley	Hartley	Peterson, Ga.
Case, N. J.	Hays	Randolph
Chapman	Healy	Reed, N. Y.
Chenoweth	Hendricks	Robertson, Va.
Chiperfield	Heseltan	Robinson, Utah
Cole, Kans.	Hook	Sadowski
Cole, N. Y.	Jennings	Schwabe, Okla.
Colmer	Kerr	Short
Combs	Landis	Starkey
Courtney	Lane	Taylor
Curley	Luce	Thom
Curtis	Ludlow	Thomas, N. J.
Douglas, Ill.	McCormack	Vursell
Eberharther	McGregor	Winter
Ellis	Morrow	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Thomas of New Jersey for, with Mr. Gathings against.

Mr. Hartley for, with Mr. Hays against.

Mr. Heseltan for, with Mr. Courtney against.

Mr. Patterson for, with Mr. Peterson of Georgia against.

Mr. Healy for, with Mr. Kerr against.

General pairs until further notice:

Mr. McCormack with Mr. Short.

Mr. Hendricks with Mr. Halleck.

Mr. Baldwin of Maryland with Mr. Vursell.

Mrs. Norton with Mr. Jennings.

Mr. Buckley with Mr. Harness of Indiana.

Mr. Chapman with Mr. Schwabe of Oklahoma.

Mr. Randolph with Mr. Reed of New York.

Mr. Lane with Mr. Mundt.

Mr. Starkey with Mr. Chenoweth.

Mr. Thom with Mr. McGregor.

Mr. Robertson of Virginia with Mr. Cole of New York.

Mr. Curley with Mr. Chiperfield.

Mr. Bryson with Mr. Fellows.

Mr. Peterson of Florida with Mr. Case of New Jersey.

Mr. Colmer with Mrs. Luce.

Mr. SIKES and Mr. HART changed their vote from "no" to "aye."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. CLEVINGER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CLEVINGER. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. CLEVINGER moves to recommit the bill to the Committee on Agriculture.

Mr. FLANNAGAN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Ohio.

Mr. RANKIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 121, nays 260, not voting 49, as follows:

[Roll No. 29]

YEAS—121

Abernethy	Gwinn, N. Y.	Norrell
Allen, La.	Gwynne, Iowa	O'Hara
Almond	Hale	Patman
Andrews, Ala.	Hall	Pickett
Andrews, N. Y.	Leonard W.	Ploeser
Arends	Halleck	Poage
Arnold	Hancock	Price, Fla.
Bates, Mass.	Harris	Rains
Beckworth	Hébert	Rankin
Bell	Hess	Rich
Bland	Hobbs	Rizley
Boykin	Hoffman	Roe, Md.
Brooks	Holmes, Mass.	Rogers, Fla.
Brown, Ohio	Jarman	Russell
Buck	Jenkins	Schwabe Mo.
Buffett	Jensen	Scrivner
Bulwinkle	Johnson, Ill.	Sikes
Burch	Johnson, Ind.	Slaughter
Byrnes, Wis.	Johnson,	Smith, Ohio
Church	Luther A.	Smith, Va.
Clevenger	Jones	Springer
Cox	Kean	Stefan
Cravens	Kilburn	Stewart
Crawford	Knutson	Stockman
Curtis	Lanham	Sumner, Ill.
Daughton, Va.	Larcade	Sumners, Tex.
Domengeaux	Latham	Sundstrom
Drewry	LeFevre	Taber
Earthman	Lyle	Towe
Eaton	McCowan	Vorys, Ohio
Ellis	McGehee	Wadsworth
Ellsworth	McKenzie	Weichel
Elston	Mahon	West
Fellows	Manasco	Whitten
Gamble	Mansfield, Tex.	Whittington
Gibson	Martin Mass.	Wigglesworth
Gifford	Mason	Winstead
Goodwin	Mathews	Wolcott
Gossett	Miller, Nebr.	Wood
Grant, Ala.	Mills	Woodruff
Griffiths	Murray, Tenn.	Worley

NAYS—260

Allen, Ill.	Campbell	Dolliver
Andersen,	Canfield	Dondero
H. Carl	Cannon, Fla.	Doughton, N. C.
Anderson, Calif.	Cannon, Mo.	Douglas, Calif.
Andresen,	Carlson	Doyle
August H.	Carnahan	Durham
Angell	Case, S. Dak.	Dworshak
Auchincloss	Celler	Eberharther
Bailey	Chelf	Elliott
Barden	Clark	Elsaesser
Barrett, Pa.	Clason	Engel, Mich.
Barrett, Wyo.	Clements	Engle, Calif.
Barry	Clippinger	Fallon
Bates, Ky.	Cochran	Feighan
Bender	Coffee	Fenton
Bennet, N. Y.	Cole, Mo.	Fernandez
Bennett, Mo.	Combs	Flannagan
Biemiller	Cooley	Flood
Bishop	Cooper	Fogarty
Blackney	Corbett	Foiger
Bloom	Crosser	Forand
Bonner	Cunningham	Fuller
Bradley, Mich.	D'Alesandro	Fulton
Bradley, Pa.	Davis	Gallagher
Brehm	Dawson	Gardner
Brown, Ga.	De Lacy	Gary
Brumbaugh	Delaney,	Gavin
Bryson	James J.	Gearhart
Bunker	Delaney	Geehan
Burgin	John J.	Gerlach
Butler	D'Ewart	Gillespie
Byrne, N. Y.	Dingell	Gillette
Camp	Dirksen	Gillie

Gordon
Gore
Gorski
Graham
Granahan
Granger
Grant, Ind.
Green
Gregory
Gross
Hagen
Hall
Edwin Arthur
Hand
Hare
Harless, Ariz.
Hart
Havener
Healy
Hedrick
Heffernan
Henry
Herter
Hill
Hinshaw
Hoch
Hoeven
Hollfield
Holmes, Wash.
Hope
Horan
Howell
Huber
Hull
Izac
Jackson
Johnson, Calif.
Johnson, Lyndon B.
Johnson, Okla.
Jonkman
Judd
Kearney
Kee
Keefe
Kefauver
Kelley, Pa.
Kelly, Ill.
Keogh
Kilday
Kling
Kinzer
Kirwan
Kopplemann
Kunkel
LaFollette
Lea

LeCompte
Lemke
Lesinski
Lewis
Link
Luce
Lynch
McConnell
McCormack
McDonough
McGlinchey
McMillan, S. C.
McMillen, Ill.
Madden
Maloney
Mansfield, Mont.
Marcantonio
Martin, Iowa
May
Michener
Miller, Calif.
Monroney
Morgan
Morrison
Murdock
Murphy
Murray, Wis.
Neely
Norblad
O'Brien, Ill.
O'Brien, Mich.
O'Konski
O'Neal
O'Toole
Outland
Pace
Patrick
Pfeifer
Philbin
Phillips
Pittenger
Plumley
Powell
Price, Ill.
Priest
Quinn, N. Y.
Rabaut
Rabin
Ramey
Rayfield
Wilson
Reece, Tenn.
Reed, Ill.
Rees, Kans.
Resa
Richards
Riley

Rivers
Robertson, N. Dak.
Robison, Ky.
Rockwell
Rodgers, Pa.
Roe, N. Y.
Rogers, Mass.
Rogers, N. Y.
Rooney
Rowan
Ryder
Sabath
Sadowski
Sasser
Savage
Shafer
Sharp
Sheppard
Sheridan
Simpson, Ill.
Simpson, Pa.
Smith, Maine
Smith, Wis.
Snyder
Somers, N. Y.
Sparkman
Spence
Stevenson
Stigler
Sullivan
Talbot
Talle
Tarver
Thomas, Tex.
Thomason
Tibbott
Tolan
Torrens
Traynor
Trimble
Vinson
Voorhis, Calif.
Vursell
Walter
Wasielewski
Weaver
Welch
White
Wickersham
Wilson
Wolfenden, Pa.
Wolverton, N. J.
Woodhouse
Zimmerman

NOT VOTING—49

Adams
Baldwin, Md.
Baldwin, N. Y.
Beall
Bolton
Boren
Buckley
Case, N. J.
Chapman
Chenoweth
Chipperfield
Cole, Kans.
Cole, N. Y.
Colmer
Courtney
Curley
Douglas, Ill.

Ervin
Fisher
Gathings
Harness, Ind.
Hartley
Hays
Hendricks
Heseltan
Hook
Jennings
Kerr
Landis
Lane
Ludlow
McGregor
Morrow
Mundt

Norton
Patterson
Peterson, Fla.
Peterson, Ga.
Randolph
Reed, N. Y.
Robertson, Va.
Robinson, Utah
Schwabe, Okla.
Short
Starkey
Taylor
Thom
Thomas, N. J.
Winter

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Thomas of New Jersey for, with Mr. Healy against.

Mr. Cole of New York for, with Mr. Patterson against.

Mr. Baldwin of Maryland for, with Mr. Hartley against.

Additional general pairs:

Mr. Ludlow with Mr. Adams.

Mr. Hook with Mrs. Bolton.

Mr. Robinson of Utah with Mr. Case of New Jersey.

Mr. Ervin with Mr. Morrow.

Mrs. Douglas of Illinois with Mr. Winter.

Mr. DAVIS, Mr. ANGELL, and Mr. LEWIS changed their votes from "aye" to "no."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. FLANNAGAN. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 275, nays 101, answered "present" 3, not voting 51, as follows:

[Roll No. 30]

YEAS—275

Allen, Ill.
Andersen, H. Carl
Anderson, Calif.
Andersen, August H.
Angell
Arnold
Auchincloss
Bailey
Barden
Barrett, Pa.
Barrett, Wyo.
Barry
Bates, Ky.
Beckworth
Bender
Bennet, N. Y.
Bennett, Mo.
Biemiller
Bishop
Blackney
Bloom
Bonner
Boren
Bradley, Mich.
Bradley, Pa.
Brehm
Brown, Ga.
Brumbaugh
Bryson
Bunker
Burgin
Butler
Byrne, N. Y.
Camp
Campbell
Canfield
Cannon, Fla.
Cannon, Mo.
Carlson
Carnahan
Case, S. Dak.
Chelf
Clason
Clements
Clippinger
Cochran
Coffee
Cole, Mo.
Combs
Cooley
Cooper
Corbett
Cravens
Crosser
Cunningham
D'Alesandro
Davis
Dawson
De Lacy
DeLaney, James J.
DeLaney, John J.
D'Ewart
Dingell
Dirksen
Dolliver
Dondero
Doughton, N. C.
Douglas, Calif.
Doyle
Durham
Dworshak
Earthman
Eberhart
Elliott
Ellis
Elsaesser
Engel, Mich.
Engle, Calif.
Fallon
Feighan
Fenton
Fernandez
Flannagan
Flood
Fogarty
Folger
Forand
Fuller
Fulton
Gallagher
Gardner

Gary
Gavin
Gearhart
Geelan
Gerlach
Gillespie
Gillette
Gillie
Gordon
Gorski
Graham
Granahan
Granger
Grant, Ind.
Green
Gregory
Hagen
Hall
Edwin Arthur
Hand
Hare
Harless, Ariz.
Hart
Havenner
Healy
Hedrick
Heffernan
Henry
Herter
Hill
Hinshaw
Hoch
Hoeven
Hollfield
Holmes, Wash.
Hope
Horan
Howell
Huber
Hull
Izac
Jackson
Johnson, Calif.
Johnson, Ind.
Johnson, N. Y.
Lyndon B.
Johnson, Okla.
Jonkman
Judd
Kearney
Kee
Keefe
Kefauver
Kelley, Pa.
Kelly, Ill.
Keogh
Kilday
King
Kinzer
Kirwan
Kopplemann
Kunkel
LaFollette
Lea
LeCompte
Lemke
Lesinski
Lewis
Link
Luce
Lyle
Lynch
McConnell
McCormack
McCowan
McDonough
McGlinchey
McMillan, S. C.
McMillen, Ill.
Madden
Mahon
Maloney
Mansfield, Mont.
Marcantonio
Martin, Iowa
May
Michener
Miller, Calif.
Monroney
Morgan
Morrison
Murdock
Murphy
Murray, Tenn.

Murray, Wls.
Neely
Norblad
O'Brien, Ill.
O'Brien, Mich.
O'Hara
O'Konski
O'Neal
O'Toole
Outland
Pace
Patman
Patrick
Pfeifer
Philbin
Phillips
Pittenger
Plumley
Powell
Price, Fla.
Price, Ill.
Priest
Quinn, N. Y.
Rabaut
Rabin
Rains
Ramey
Rayfield
Reece, Tenn.
Reed, Ill.
Rees, Kans.
Resa
Richards
Rivers
Rizley
Robertson, N. Dak.
Robison, Ky.
Rockwell
Rodgers, Pa.
Roe, N. Y.
Rogers, Fla.
Rogers, Mass.
Rogers, N. Y.
Rooney
Rowan
Ryder
Sabath
Sadowski
Sasser
Savage
Sharp
Sheppard
Sheridan
Sikes
Simpson, Ill.
Simpson, Pa.
Smith, Maine
Snyder
Somers, N. Y.
Sparkman
Spence
Springer
Stefan
Stevenson
Stigler
Sullivan
Talbot
Talle
Tarver
Thomas, Tex.
Thomason
Tibbott
Tolan
Torrens
Traynor
Trimble
Vinson
Voorhis, Calif.
Vursell
Walter
Wasielewski
Weaver
Weichel
Welch
White
Wickersham
Wilson
Wolfenden, Pa.
Wolverton, N. J.
Woodhouse
Zimmerman

NAYS—101

Abernethy
Allen, La.
Almond
Andrews, Ala.
Andrews, N. Y.
Arends
Bates, Mass.
Bell
Bland
Boykin
Brooks
Brown, Ohio
Buck
Buffett
Bulwinkle
Burch
Byrnes, Wls.
Church
Clark
Clevenger
Cox
Crawford
Curtis
Daughton, Va.
Domengeaux
Drewry
Eaton
Ellsworth
Elston
Gamble
Gibson
Gifford
Goodwin
Gossett
Grant, Ala.

Griffiths
Gwinn, N. Y.
Gwynne, Iowa
Hale
Hall
Leonard W.
Halleck
Hancock
Harris
Hébert
Hess
Hobbs
Hoffman
Holmes, Mass.
Jarman
Jenkins
Jensen
Johnson, Ill.
Johnson, Luther A.
Jones
Kean
Kilburn
Knutson
Lanham
Larcade
Latham
LeFevre
McGehee
McKenzie
Manasco
Mansfield, Tex.
Martin, Mass.
Mason
Mathews

Miller, Nebr.
Mills
Norrell
Pickett
Ploeser
Poage
Rankin
Rich
Roe, Md.
Russell
Schwabe, Mo.
Scrivner
Shafer
Smith, Ohio
Smith, Va.
Smith, Wls.
Stewart
Stockman
Sumner, Ill.
Summers, Tex.
Sundstrom
Taber
Towe
Vorys, Ohio
Wadsworth
West
Whitten
Whittington
Winstead
Wolcott
Wood
Woodruff
Worley

ANSWERED "PRESENT"—3

Fellows
Gore
Wigglesworth

NOT VOTING—51

Adams
Baldwin, Md.
Baldwin, N. Y.
Beall
Bolton
Buckley
Case, N. J.
Celler
Chapman
Chenoweth
Chipperfield
Cole, Kans.
Cole, N. Y.
Colmer
Courtney
Curley
Douglas, Ill.

Ervin
Fisher
Gathings
Gross
Harness, Ind.
Hartley
Hays
Hendricks
Heseltan
Hook
Jennings
Kerr
Landis
Lane
Ludlow
McGregor
Morrow

Mundt
Norton
Patterson
Peterson, Fla.
Peterson, Ga.
Randolph
Reed, N. Y.
Robertson, Va.
Robinson, Utah
Schwabe, Okla.
Short
Slaughter
Starkey
Taylor
Thom
Thomas, N. J.
Winter

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Heseltan for, with Mr. Wigglesworth against.

Mrs. Douglas of Illinois for, with Mr. Baldwin of Maryland against.

Mr. Baldwin of New York for, with Mr. Thomas of New Jersey against.

Mr. Jennings for, with Mr. Fellows against.

Mr. Courtney for, with Mr. Cole of New York against.

Mr. Gore for, with Mr. Slaughter against.

General pairs:

Mr. Randolph with Mr. Beall.

Mr. Peterson of Florida with Mr. Chipperfield.

Mr. Robinson of Utah with Mr. Adams.

Mr. Lane with Mr. McGregor.

Mr. Hays with Mr. Hartley.

Mr. Chapman with Mr. Gross.

Mr. Hook with Mr. Harness of Indiana.

Mr. Patterson with Mrs. Bolton.

Mr. Gathings with Mr. Mundt.

Mr. Kerr with Mr. Chenoweth.

Mr. Starkey with Mr. Morrow.

Mr. Hendricks with Mr. Reed of New York.

Mr. Robertson of Virginia with Mr. Short.

Mr. Fisher with Mr. Taylor.

Mr. Buckley with Mr. Schwabe of Oklahoma.

Mr. GORE. Mr. Speaker, I have a live pair with the gentleman from Missouri, Mr. SLAUGHTER. I voted "yea." I withdraw my vote and answer "present."

Mr. WIGGLESWORTH. Mr. Speaker, I have a live pair with the gentleman

from Massachusetts, Mr. HESELTON. I am informed if he were present he would vote "aye." I voted "no." Therefore, I withdraw my vote and answer "present."

Mr. FELLOWS. Mr. Speaker, I have a live pair with the gentleman from Tennessee, Mr. JENNINGS. If he were present, he would have voted "aye." I voted "no." I withdraw my vote and answer "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROHIBITING CERTAIN COERCIVE PRACTICES AFFECTING RADIO BROADCASTING

Mr. COX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 524, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5117) to amend title V of the Communications Act of 1934 so as to prohibit certain coercive practices affecting radio broadcasting, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of the bill (H. R. 5117) the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill (S. 63), and it shall then be in order to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H. R. 5117.

Mr. COX. Mr. Speaker, the reasons for reporting H. R. 5117 as set forth in the report of the sponsoring committee were the reasons why the Rules Committee granted the pending rule.

Mr. Speaker, I now yield 30 minutes to the gentleman from Michigan [Mr. MICHENER] and 15 minutes to the gentleman from Illinois [Mr. SABATH], and I reserve the balance of my time.

Mr. MICHENER. Mr. Speaker, the committee having this bill under consideration is very familiar with it and will carefully explain it.

I do want to answer one question which has been asked a number of times on the floor this afternoon. That is, "Is organized labor, as such, opposed to this bill?" I cannot answer that, because I have received no single letter, telegram, or word from organized labor in opposition. That is significant. If labor has not appeared in opposition to this bill there is a reason. The only answer I am going to give is to read from page 2 of the report as to just what the American Federation of Musicians controlled by Mr. Petrillo is:

The make-up and operation of the American Federation of Musicians scarcely justifies its classification as a labor union. Applicants for membership are received without conforming to any qualification of a musician. Only about one-third of them make their living primarily by musical service. The voting privileges of members are so allocated as to permit a minority domination through grossly unequal allotment of voting power.

In most cases demands of the character dealt with by this proposed legislation have been made on behalf of the American Federation of Musicians by James C. Petrillo, its president.

The bylaws of the American Federation of Musicians empower its president to promulgate and issue executive orders "which shall be conclusive and binding upon all members and/or locals; any such order may by its terms (a) enforce the constitution, bylaws, standing resolutions, or other laws, resolutions or rules of the federation; or (b) may annul and set aside same or any portion thereof, except such which treat with the finances of the organization, and substitute therefor other and different provisions of his own making."

The federation thus composed is so organized that its membership has little control over its management or policy.

I believe this shows us there is a clear distinction between labor unions as they are generally recognized in the American Federation of Labor and the CIO, and this particular organization dominated by this man Petrillo who does not seem to be controlled by anyone.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. MARCANTONIO. I wish to state that the CIO is definitely opposed to the bill.

Mr. MICHENER. The gentleman from New York [Mr. MARCANTONIO] undoubtedly knows. He says that the CIO is unalterably opposed to the bill, so I will accept that, of course, as the fact.

Mr. Speaker, the favorable report of the committee best describes this proposed legislation. That report is in part as follows:

GENERAL STATEMENT

For some years the radio broadcasters of the Nation have been harassed by ever-increasing extortionate and racketeering demands to which they have been forced to yield by coercive methods. The tributes thus exacted are now measured by millions of dollars.

These exactions have not been in compensation for services performed for the broadcasters or in settlement of any obligations due from them. They have not been made for the enforcement of any rights due those who demanded them.

The object of this proposed legislation is to put an end to these exactions for the protection of the broadcasting industry and for the integrity of the Nation.

EVILS AT WHICH DIRECTED

Broadcasting has become one of the great industries of our time. It is now one of the chief means of communication of our Nation. It is one of our greatest implements for free speech. It promptly carries news to the remotest sections of the country. It is a forum for the discussion of our political, economic, and social problems. It is a source of information, education, entertainment, music, culture, and a vehicle for the messages of all religions, utilized by practically every home in the Nation.

In recent years the broadcasting industry has been subjected to extortionate demands

enforced by coercive methods which increasingly threaten to restrict and handicap it in performing its rightful functions to the Nation.

Those making these demands, empowered by organized groups, not only have exacted tributes from the broadcasters but have assumed and exerted the power to say what shall and shall not be communicated over the radio. True, they have limited their dominations and demands to purposes which serve their particular groups, but nevertheless they have set a pattern for a like power of private control exerted for mercenary purposes over other phases of the broadcasting industry of the Nation. The same power exercised for other purposes, if permitted, might make the right of free speech only a name and establish censorship of broadcasting for private gain.

Those who make these demands subordinate the rights of the people of the Nation to an untrammelled broadcasting service to their own mercenary purposes. They in effect say to the broadcasters, and say to the makers of recordings, "You must pay this tribute or we will not permit you to give this service to the Nation." An effective power behind the threat is the boycott and strike.

COERCIVE PRACTICES

The local broadcasters of the Nation are greatly dependent on the networks for rounding out their programs. This situation has augmented the coercive power of the Federation of Musicians in forcing compliance with its demands. Through coercive efforts, including boycotts and strikes and threats of boycotts and strikes against broadcasters, the networks and those who furnish materials for broadcasters, the industry has been forced to comply rather than suffer the penalizations that would follow a refusal to submit to these extortionate demands.

Among other things, the following demands upon the broadcasting industry have thus been made in recent years. That broadcasters employ persons in excess of the number wanted; that in lieu of failure to employ such persons the broadcaster should pay to the federation sums of money equivalent to or greater than funds required for the employment of members of the federation; that payments for services already performed and fully paid for should be repeated; that payments should be made for services not performed; that broadcasters should refrain from broadcasting noncompensated, noncommercial educational or cultural programs; that broadcasters should refrain from broadcasting musical programs of foreign origin; that tributes should be paid for using recordings, transcriptions, and other materials used for broadcasting; that restrictions should be placed on the manufacture and use of recordings or transcriptions for the purpose of restricting or preventing the use of such materials for broadcasting; that tributes should be paid for recordings previously paid for; that dual orchestras should be employed for a single broadcast over two or more outlets; that over 400 small broadcast stations in the country having no live orchestras would be compelled to employ such orchestras; that the use of voluntary noncompensated orchestras be barred from broadcasts unless an orchestra of the Federation of Musicians were also employed or that the union was paid an equivalent or greater amount than the regular charge for a federation orchestra.

Some of these demands began several years ago but in recent years they have become more frequent and for enlarged purposes and amounts. These boycotts and strikes and threats have coerced compliance with a number of these demands, with pending demands now being greater than ever before. The amount of money extorted from the broadcasting industry by these methods, without

determined under section 11 of the Surplus Property Act of 1944, as amended, to be surplus property and is classified by the chairman as suitable for residential purposes.

(d) The term "public notice" means notice given as required by regulations prescribed under section 11 (e) of the Surplus Property Act of 1944, as amended.

(e) The term "veteran" means (1) any individual in the active military or naval service of the United States during the present war, (2) any individual who served in the active military or naval service of the United States on or after September 16, 1940, and prior to the termination of the present war, and who has been discharged or released therefrom under honorable conditions, or (3) any corporation, partnership, firm, association, or other entity either wholly composed of individuals described in clauses (1) and (2) or wholly owned or controlled by such individuals.

(f) The terms "Government agency," "owning agency," "disposal agency," "property," "State," and "war housing" have the same meaning as when used in the Surplus Property Act of 1944, as amended.

SEC. 2. Whenever any surplus residential property is to be disposed of other than to Government agencies or to States or their political subdivisions or instrumentalities as provided in sections 12 and 13 of the Surplus Property Act of 1944, as amended, veterans shall be granted a preference in the purchase of such property over nonveterans in accordance with the provisions of this act.

SEC. 3. Surplus residential property shall be subdivided into the appropriate units in which the Chairman deems it should be disposed of, giving due consideration to the character of the property and the objectives of this act to provide preferences in purchases thereof to veterans.

SEC. 4. (a) Veterans shall be given 60 days after public notice within which to signify in writing an intention to acquire any unit of surplus residential property which is offered for sale. The sales price shall be at the reasonable value in a normal market as determined by an appraisal as provided in section 5.

(b) If after signifying an intention to acquire any unit of surplus residential property a veteran declines to purchase it at the appraised value or is unable to meet the terms of the sale public notice shall be given offering the unit for sale to other veterans at the price fixed by the appraisal. Such public notice shall specify a reasonable time within which any veteran may apply for the purchase of such unit at the price so fixed.

(c) Units of surplus residential property not sold to veterans under subsection (a) or (b) may be disposed of to nonveterans, but no such unit shall be disposed of to any non-veteran upon terms more favorable than the terms under which the unit has been offered to veterans.

(d) The terms of the sale of any unit of surplus residential property to any veteran under subsection (a) or (b) shall include provisions requiring that in the case of any resale of such property during the 10-year period beginning on the date of the sale the property will first be offered for resale to veterans at not more than the reasonable value in the normal market as determined by an appraisal as provided in section 5. Except as provided in this section sales to veterans under this act shall be upon such terms as the Chairman may prescribe.

SEC. 5. Units of surplus residential property offered for sale shall be appraised by an appraiser selected by the disposal agency or other prospective seller and an appraiser selected by the prospective veteran buyer or, in case of disagreement of the two appraisers so selected, by an appraiser jointly selected by the first two appraisers. The determination of what constitutes a reasonable value in a normal market shall be based upon reasonable values during the period beginning January 1, 1937, and ending December 31, 1939.

New York Times Calls Attention to OPA's Counterfeit Remedies for Inflation

EXTENSION OF REMARKS

OF

HON. HOWARD H. BUFFETT

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1946

Mr. BUFFETT. Mr. Speaker, under leave to extend my remarks I am including an editorial from the New York Times of February 20, 1946, entitled "Mr. Bowles' Remedies."

In this connection, I am constrained to point out what may be the most tragic misuse of power of which the OPA is guilty.

The seemingly irresistible OPA propaganda machine could be used to inform the people of America that only a balanced budget can truly prevent inflation. In this fashion, OPA could use its power to encourage the President and Congress to balance the Budget.

Instead, the OPA has used its propaganda to conceal the ravages of reckless spending, and to make the people believe that price control prevents inflation.

The New York Times editorial follows:

MR. BOWLES' REMEDIES

Mr. Bowles' introductory statement before the House Banking and Currency Committee began, correctly enough, by declaring that "It would be difficult to exaggerate the gravity of the inflationary crisis we face." Unfortunately, however, he did not once mention during his statement the basic cause of inflation—the increase in money and bank credit in the country since the outbreak of the war and the continued budget deficit and Government financing policies that must in the long run increase that money and bank credit further.

Mr. Bowles did mention some of the contributory causes of high commodity prices. He mentioned the shortage of goods. He correctly pointed out that: "It is, of course, expanding production which will bring us to the point where price, rent, and wage controls can be dropped." He mentioned the unprecedented recent wage increases that the administration has encouraged and approved; but to these he also gave his own approval. Why, then, does he believe that "everywhere the inflationary pressures have reached explosive proportions"? The chief trouble, in his judgment, seems to be psychological. "A speculative fever has taken hold of the country." Mr. Bowles' main concern seems to be the speculators, the profiteers, the "now I want mine" boys.

Obviously, however, these groups are only symptomatic. The speculators and profiteers are always with us. Surely there were as many people in 1932, say, as there are now who would have bought stocks or commodities if they thought they were going up, or businessmen who would have raised their prices if they thought they could get more. What we have to examine are the basic conditions which make it possible for people to sell at such high prices today. "Speculation" is the registering thermometer, accurate or inaccurate; but it is not the temperature itself.

It is because Mr. Bowles' analysis concerns itself with the symptoms of inflation and not with the basic causes that he has nothing to offer but continued drastic controls of the American economy. He asks for a renewal of all the wartime controls "without amendment." But we cannot cure inflation until we deal with its basic causes. These causes lie in governmental financial policy itself. Government wage and price

control is a temporary expedient that has such serious potentialities for harm that it should be discontinued at the earliest possible moment. The real task before the administration and Congress is to put the Government's fiscal affairs in order.

Maintenance, Operation, and Expansion of School-Lunch Programs

SPEECH

OF

HON. REID F. MURRAY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 20, 1946

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

(Mr. MURRAY of Wisconsin asked and was given permission to revise and extend his remarks.)

Mr. MURRAY of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, when I became a Member of this august body in January 1939, the second time I appeared on this floor I made a few remarks about this same subject. I called the attention of the Members of the House to the fact that there is one group of our people who were deserving of our consideration at that time. Remember that in 1939 it was a time when we had enormous agricultural surpluses in this country. It was the seventh year of the more abundant life. Milk in the Midwest was as low as a dollar per hundred, and hogs as low as 5 cents plus per pound, though millions and billions had been spent in the name of agriculture.

If the young people in these orphanages and these foster homes are not worthy of attention so far as furnishing food is concerned, I am sure we are in a wrong frame of mind in supporting this bill today. If we do not accept the amendment offered by the distinguished lady from Connecticut, we put ourselves in a position that we are not interested in feeding children as far as their stomachs are concerned, but we are only interested in getting control of the school system of this country. If anyone wishes to take any other position than that, I shall be pleased to hear them.

Many members of the Committee on Agriculture thought that the orphanages were included in this bill. To keep the record straight, I went to the distinguished chairman of the Committee on Agriculture this morning and suggested that he accept the amendment that has been offered by the distinguished lady from Connecticut, but he did not accept it. But since that time, thank goodness, he has had a change of heart, and I am sure that our colleague from Virginia is on the right track now.

The following are the remarks made in the House by me on May 18, 1939:

Mr. Chairman, I wish to call the attention of the Members of this House to the fact

that there is one group of our people who are deserving of consideration at this time.

In these days of the so-called agricultural surpluses, and in these days where funds and means are being provided for what are termed "the underprivileged," it seems only reasonable and fair that we give consideration to a relatively large group of young people who are under institutional care.

According to the last information available from the United States Department of Commerce, I find that we have 2,240 foster homes, with an enrollment of 242,929 children. Here are nearly a quarter of a million unfortunates who are surely where they are through "no fault of their own." They are not in a position to bring any pressure on Congress. These young people are found in many denominational as well as public institutions. Even if they are found in denominational institutions, I contend they are a group of people who should have, and deserve, public interest and support. I have had an opportunity of knowing many citizens of our country whose childhood was spent in these institutions, and I know many splendid citizens who have had this training.

In investigating this matter I find from the Surplus Commodity Corporation that they have furnished some food to comparable groups, and it appears that no further legislation would be necessary in order to provide these institutions with the products of the Surplus Commodity Corporation. I personally feel that these institutions should be given first consideration by the Surplus Commodity Corporation from the funds that are already available under the present laws. I feel sure that if the Members of Congress evidence the same opinion the Surplus Commodity Corporation would be willing to follow our recommendations and will see that these young people are properly provided for.

I would like to ask the Members of the House if they do not think this would be a splendid opportunity of legislating for one group of people who are in no position to bring any political pressure to bear on us.

The National Housing Program

EXTENSION OF REMARKS

OF

HON. STYLES BRIDGES

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES

Thursday, February 21 (legislative day of Friday, January 18), 1946

Mr. BRIDGES. Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD four editorials dealing with the national housing situation, one from the New York Times of February 12, one from the Washington Post, of February 17, one from the Wall Street Journal of February 15, and one from the Baltimore Sun of February 14.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times of February 12, 1946]

HOUSING PROGRAM

Wilson Wyatt, Housing Expediter, has prepared a comprehensive program designed to start construction of 700,000 low- and moderate-cost homes by the end of next year. A large proportion of these houses will be prefabricated or assembled on site from prefabricated parts and materials. To achieve this record-breaking production the program aims at a tripling of the number of workers engaged in the building industry and a large expansion in the production of materials.

As an integral part of the program Mr. Wyatt proposes the payment of subsidies to obtain a larger supply of materials and to compensate for higher wages; extension of credit by insuring mortgages on low-cost homes to the extent of 90 percent of current costs rather than on long-term economic values; the fixing of prices of old houses, new houses, and housing sites; stimulation of technical research, and extension of authority for priorities and allocations until December 31, 1947.

There can be little quarrel with the desirability of the goal set in this program. There is serious question, however, whether the program can get us there. Although our present problem is too much demand for housing, a further easing of the terms on which houses can be bought, including a lowering of the interest rate, is proposed. Such a development inevitably would accentuate the present unbalance between supply and demand of housing. The same result is bound to follow if we attempt the impossible task of controlling the prices of both new and old houses.

Although the program is designed to prevent a further rise in prices, with its inflationary effects, subsidies of \$600,000,000 are proposed. Such subsidies will add to the inflationary pressure already present to a serious degree in our economy. Moreover, by suggesting that "where it is absolutely necessary, wage increases will be cared for by premium payments in order to stimulate maximum production," the gates would be opened for one of the most dubious of the current inflationary proposals. In this connection, too, it is difficult to understand why the taxpayer must be called upon to subsidize the purchasers of these new homes.

Moreover, this program, with its emphasis upon additional controls, ignores the great incentive provided by profits in overcoming serious shortages. New housing facilities are urgently required. Mr. Wyatt calls this a bold and realistic plan. It would be less bold but more realistic to give greater attention to the role that greater incentives in the form of less Government control can play in overcoming our housing shortage. A relaxation of some price ceilings might add to the individual housing bill, but the alternative of subsidies adds more to the taxpayers' bill and seems less likely to achieve results.

[From the Washington Post of February 17, 1946]

WYATT HOUSING PLAN

Wilson W. Wyatt, the administration's new housing dynamo, has been a very busy man in the last 5 weeks. In that brief period he has outlined a bold, forward-looking, and comprehensive program to meet the housing crisis. "Our sights must be raised," he says, "far above the present target of four or five hundred thousand homes in 1946." He courageously calls for 2,700,000 dwelling units to be put under construction in the next 2 years. In our opinion, this sort of dynamic leadership is necessary to pull the building industry out of its semimoribund state and prepare it for its new responsibilities.

The magnitude of the housing problem stands out with shocking clarity from Mr. Wyatt's report. More than 1,200,000 families were living "doubled up" last October. The situation is rapidly becoming worse because of the great increase in families demanding homes. Even if we can build 3,000,000 homes in 1946 and 1947 through an all-out effort, more than a million families will still have to live with relatives or friends. Here is ample indication that Mr. Wyatt's program is not too ambitious in the number of units sought.

To carry out that program will require some sweeping adjustments. The volume of building materials to be produced in 1947 will have to be increased eightfold over the output of 1945. The present labor force engaged in residential construction will have to be multiplied by three. Of course, there will also have to be an enormous increase

in manpower at work in factories producing building materials. Mr. Wyatt's program calls for the revival of many closed plants that used to produce brick, lumber, plumbing fixtures, and so forth, the conversion of war plants to the manufacture of building supplies, and construction of new plants, with special allowance for more rapid-than-usual amortization for tax purposes.

It naturally follows that nonresidential building which is not absolutely necessary will have to be sharply curtailed. The Wyatt program would concentrate most of the Nation's building capacity in the production of housing units to cost not more than \$6,000 and rent for not more than \$50. It is this type of home that is in greatest demand by returning veterans, and, for that matter, by other families now clamoring for housing within reach of moderate incomes.

The most controversial feature of the Wyatt program is his call for \$600,000,000 in subsidies to stimulate the production of building materials and hasten the development of new products. We fully recognize the necessity for stimulation of the building materials industries. That is the first essential of any realistic large-scale home-building program. We are loath, however, to see a heavy draft on the Treasury for this purpose. Payment of such subsidies during the war was justified on the ground that they made possible the production of essential materials in high-cost plants or mines without raising the general price level. We do not think the same argument can be reasonably advanced now for the stimulation of a peacetime building industry.

It is true, of course, that the building industry is suffering from a wartime hangover. But it is not a temporary spurt of construction activity that we need. Large-scale production of houses and many other types of buildings will be necessary for at least 10 years to overcome the shortages accumulated during the war. If this industry is to expand on a sound basis, it must be assured of a reasonable relationship between costs and prices during the period of continued controls, instead of being given a temporary shot in the arm.

Soon or late, moreover, we shall have to abandon the habit of trying to solve every baffling problem by resort to public funds. We cannot indefinitely head off inflation by piling the public debt higher and higher. On the contrary, the continued spending of Government funds to keep prices down spells inflation from a different source. We doubt that Congress will have any sympathy with this effort to postpone the day when price and wage adjustments in the building-materials field will have to be made to put these industries on a par with others which took over their labor in wartime. When those adjustments have been made, controls will certainly have to be maintained to avoid skyrocketing prices. Subsidies would temporarily ease the problem of maintaining controls, but they would also multiply headaches later on and probably jeopardize the long-range slum-clearance plans which necessarily involve the use of public funds.

[From the Wall Street Journal of February 15, 1946]

HOUSING

Some years ago the candidate for governor of a Midwestern State was invited to address a convention of what he understood were real-estate men. He made quite a stirring speech on the merits of each citizen owning his own home. Leaving the hall he discovered that the gathering was one of a special branch of the real-estate business—those in attendance dealt only in apartment houses and multifamily dwellings. Nevertheless, the speech was well received.

In this country anyone who advocates house ownership is on about as safe ground as one who makes a ringing commitment to

the Ten Commandments. Anyone who questions the desirability of home ownership is as likely as not to be put in the class with those who would speak disparagingly of the institution of marriage. We intend to take no such risk, but we think it is permissible to say that, like marriage, home ownership ought not to be entered into lightly or hurriedly.

Anyone who has owned a house and some ground knows that along with satisfaction go considerable worry and considerable expense and that one unable to bear that expense may be forced to let his property deteriorate into a considerable financial loss. If a home owner's business makes it necessary for him to move to a new neighborhood or to another part of the country, there is another chance of loss. These are considerations which should be understood because lack of understanding may cause considerable unhappiness.

We now have a housing shortage and to the couple who have tramped from door to door for weeks on end looking for a place to live and four walls look welcome. If within the four walls are some attractive gadgets, if woodwork is freshly painted and floors freshly shellacked, the layout may be more than they can resist. Someone ought to warn them to look carefully. Of all the shoddy that a man can buy, a cheap, jerry-built house threatens the most headaches.

Current publicity from Washington stresses plans to build a large number of individual homes and to concentrate the program on homes costing \$6,000. It seems to us, granting the good intentions of the sponsors of the program, that it is permissible to raise questions.

There are probably many places in the United States where a small house can be soundly built to sell for \$6,000. There are also many places where that cannot be done. Either many people will be disappointed at being unable to buy a house for that figure, or, if houses are built on such a basis, they will be of a character that none will want very much to live in them and will not for any considerable time. Despite the pressing need for housing, caution is in order. If it is not exercised we will within a very few years have vast communities of cheaply built houses, neglected and tumbled-down structures which no one will want and which will represent a loss to the original purchasers.

There also arises the question of whether it is wise to force concentration on small individual-home construction as Washington has done by use of its priority power. Is that the way to provide the maximum of shelter the most quickly? Most individual-home developments are undertaken for sale and not for rental purposes and there is no reason to believe a change is coming. Will not the availability of property for sale and scarcity of property for rent induce purchase by those in no real position to purchase?

Of course, if the Federal program of price fixing and other controls is to be maintained and extended to housing, all the questions raised here are beside the point. If that is done there will be very little building of any kind and very little production generally. We are assuming that such foolishness is near an end, and that production will be allowed to get under way. In such a case, it would be well if Washington would abandon all attempts to make general rules to cover a country where conditions vary widely.

Organized community effort can perhaps be helpful. But in the end the individual who must pay for a house will insist on having the place that suits him.

[From the Baltimore Sun of February 14, 1946]

A LITTLE CRITICISM MIGHT HELP THE HOUSING PLAN

As outlined by its creator, the Housing Expediter, the housing program now getting under way will require premium payments

(i. e., subsidies), of \$600,000,000, plus \$250,000,000 for the relocation and conversion of existing housing. There is no pretense that this \$850,000,000 will cover the whole cost to the taxpayers. The unknown factors are too many.

Also, there has been no effort to compute the indirect costs to the ordinary citizen in his capacity as wage earner. Yet there is sufficient evidence in hand to warrant the statement that these indirect costs will be large. In some industries they may be paralyzing.

Part of the plan now being rushed through with so much ballyhoo and so little calm examination calls for the delay or abandonment of all building construction save that of dwelling units. In the original statement of Expediter Wyatt it was said that the only manner in which sufficient manpower could be obtained for carrying out his plan was to divert it from other building projects.

In yesterday's paper the Director of Civilian Production, Mr. John D. Small, carried this thought further. He said that it might be necessary to prohibit the completion of construction projects now under way. And, he added, "anyone who now starts construction runs the risk of not being permitted to finish the job unless he is able to prove that the project cannot be deferred. * * *

The connotations of such a policy are almost beyond calculation. Just now, as everyone knows, many industrial concerns have either started or are about to start modernization and enlargement projects. These buildings will provide the housing for new machinery, orders for which are about to be given. The orders will not be given unless the plant accommodation can be provided.

Every factory which is refused permission to modernize or enlarge will automatically defer or cancel its orders for new machinery. Every machinery order canceled will slow down by that much the reconversion of the heavy industry equipped to produce such machinery. It will reduce the employment of the skilled and unskilled workers making that machinery. It will reduce the output of the steel mills, which supply the castings. The point need not be labored. The ramifications are endless.

The worst of it is that the Housing Expediter and his Chief, Mr. Truman, have so far given no indication that they have thought of these ramifications. They have accepted the uncritical approval of a few interested groups—the real-estate men, for instance—as indicating that they have found the panacea for our housing ills.

Mr. Roosevelt, in his callow days, put forward his National Recovery Administration as a similar cure-all. It was foisted upon the country by the same kind of hullabaloo as that we are now hearing. The few persons who insisted upon a realistic examination of its implications were denounced as marplots. The record shows that the marplots had most of the sense on their side.

School-Lunch Program

SPEECH OF

HON. MIKE MANSFIELD

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1946

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

Mr. MANSFIELD of Montana. Mr. Chairman, I am heartily in favor of the

school-lunch program, because I feel it has accomplished much good in caring for the dietary deficiencies of our children. This program has been well-administered on a local basis in Montana, and the people who have contributed of their time and effort in helping the children have performed a patriotic service. Their efforts in this respect are entitled to the highest commendation and the children of today will bless them for their consideration. This Congress can do no better service to the children of America—the citizens of tomorrow—than to pass this measure. I am voting for this bill because I believe in human values and because I want to see our children given every possible opportunity to grow up to be strong, able, and intelligent citizens in our democracy. We have no greater resource than these youngsters and as Members of Congress, no greater responsibility than their welfare.

Federal Aid for School Lunches

EXTENSION OF REMARKS OF

HON. WILLIAM W. LINK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1946

Mr. LINK. Mr. Speaker, there is before us today an opportunity to be of some real assistance to the group of young Americans that are members of our school system. When we provide aid for them we are at the same time helping their fathers and mothers. As Members of Congress it is our duty to provide for the wants of the majority of the people, and in view of this fact I want to register my full support for H. R. 3370, the bill which would provide Federal aid for school lunches.

If we need proof that the bill is desirable, we only have to look at the letters from the children themselves—letters that range from a kindergarten scrawl to a high-school composition. All voice a sincere gratefulness for the privileges that the program extends to all children of school age who are attending school. Their letters further indicate a knowledge on the part of the school children that good diet is essential to health and the development of a good mind. In addition to the messages from the children are expressions from parents, teachers, and service organizations—all of which voice a deep appreciation for the aid that has been rendered and a strong faith that the present Congress will continue the program.

The Seventh District of Illinois is composed of a cross section of the American populace. All of these people are convinced that the money appropriated for the school-lunch subsidy is for the benefit of everyone.

I have received many letters from Des Plaines, from Park Ridge, and from other sections that definitely cannot be called a poor man's district; along with these letters are hundreds of similar ones from sections where the working-man is in the vast majority. All are

unanimous in their hopes for the passage of the school-lunch bill.

The operation of the school-lunch program in the past has developed in the minds of the young people attending our schools a knowledge of proper food balance and its relation to good health. Children come to relish the elements of a balanced diet not for taste alone but for the nutrition value of the food—an extremely helpful factor to the parents in the homes.

Again, gentlemen, I want to commit myself as being wholeheartedly in favor of a bill which would make possible the operation of a school-lunch program for all children of school age who are enrolled in the schools of our United States.

The Federal Appropriation for School-Lunch Program

SPEECH

OF

HON. ANDREW J. BIEMILLER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 19, 1946

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

Mr. BIEMILLER. Mr. Chairman, I have listened with interest to the discussions of appropriations for school lunches. I want to say that if the matter is to be resolved into a dispute between States' rights and children's rights, I am on the side of children's rights.

There have been a great many statements made about this bill that border on the nonsensical. Let me repeat for your calm consideration some of the gems of thought which have been thrust upon us, on the subject of the school-lunch program—a program which, I remind you, has been in effect in many parts of this country for 10 years without serious results as yet in undermining our democracy.

I quote:

It is a question of whether we are going to adopt that form of socialism which has brought poverty and misery, and has brought hideous creeping paralysis to the economic life of every country that has ever adopted it, or whether we are going on as Americans, as the greatest, freest, and most prosperous country in the world.

Here is another: Federal aid for the school-lunch program would "beat down the courage and confidence of those people by this preaching of unfitness to govern." Another gentleman sees in it "the menace of statism, which is apparent all over the world today." Still another warns, "When the big bad wolf of communism, of statism, of regimentation finally gets his yellow fangs into you it may be too late to turn backward."

Now, Mr. Chairman, as the gentleman from Massachusetts [Mr. McCORMACK] so brilliantly stated, those words would

strike a little more terror to our hearts if we had not heard them so often. They are the same words that were used to fight every reform of the past 13 years, or, for that matter, of the past 100 years.

The same arguments were used in defense of human slavery, in attacking the public-school system, in opposition to necessary policies of conservation to hoard our natural resources. They were hauled out and dusted off again to oppose Federal employment services, unemployment insurance, old-age pensions, WPA, and Federal relief. The Old Guard will continue to wave their tattered banner and shake their wooden sword in the face of every march of progress.

Let us not be misled, Mr. Speaker, by the assurances of many of these gentlemen that all they ask is the right for the States and communities to finance a school-lunch program. That is not at all what they mean. What they want is to establish the right of States and communities not to finance a school-lunch program.

When they insisted that slavery was a matter for the States to regulate, they meant that it was a matter for the States to let alone. When they urged State conservation programs, State social-security programs and so on, they meant for the most part that the States might choose to ignore completely the questions of conservation and social security.

No, Mr. Chairman, the question before us is not whether the school children of America shall have State or federally financed school programs; the question is whether they shall or shall not get hot well-balanced lunches at school. If the Federal Government does not give it to them, in most communities no one else will.

We all know that in the places where the school-lunch program is needed most, the States and communities are either unwilling or unable to provide it. This is particularly true in those parts of the country where the standard of living is low, and food habits poor, resulting in poor health and lack of energy and interest on the part of the children.

Will those who shout loudly to stop the school-lunch program in the interest of States' rights, work equally hard to see that the States and communities provide hot well-balanced meals for their school children? I doubt it? Communities with high tax levels and active parent-teachers' associations may continue it on a local basis, but in the poorer sections the kids will be back on cold corn pone.

In many sections the only good meat and vegetables the children see are in the school lunches. They live on sow belly and beans, as their parents did before them. And as a result they have not enough stamina to take advantage of the education the schools want to give them. They must be taught to want other foods in place of the unhealthy diet they are accustomed to, and then to go out and work to get other foods. The school program of the Federal Government can do this for them. The local and State governments, and the parents, cannot.

This program is of great benefit, not only to the poorest children, but to chil-

dren in every walk of life. They form proper food habits, and eat more of the things they need, than many would at home.

I remember hearing the Secretary of Agriculture, who was at the time a Member of this House, speaking in favor of similar legislation last year. He said that in many farm families, even the most prosperous, the mothers had not enough time, or in some cases, enough knowledge, to prepare proper lunches for the children to carry to school. He said that he, himself, was a victim of improper feeding as a child, contracting tuberculosis because he did not have enough of the protective foods he needed.

The question of parental status has been injected into this discussion. While it is irrelevant whether a certain member is a childless bachelor or the grandfather of uncounted children, as one claimed, I would like to speak as one who knows first-hand something about the program.

My own son is enjoying the benefits of it at his public school in Montgomery County, Md. My wife assures me that he eats a larger lunch than he would at home because he is stimulated by companionship, and that he is learning to eat foods which he formerly refused. I do not consider this as a criticism of my wife's ability to feed my child properly, as implied by the gentleman from Missouri [Mr. BELL]. It merely proves my point that children from any walk of life will benefit from the program.

Some people seem to feel that it is more American for the children to carry lunch to school, or go home to eat it. If is, of course, impossible for country children to go home and inadvisable for many in the city to do so. I know that in some areas children run home eight blocks, spend 10 minutes gulping lunch, and run back again. This is, obviously, not good for them, nor is a cold lunch carried to school as desirable as a hot, well-balanced one. The same principle applies to lunch pails as to communities; the children from the prosperous families have ample well-balanced lunches while those whose breakfast and supper was undoubtedly scanty and overloaded with starches will have a skimpy unbalanced lunch.

It was ably pointed out by the distinguished gentleman from Virginia [Mr. FLANNAGAN] that those who shout hallelujah for States' rights at the expense of the children are more than willing to accept Federal aid to maintain the health of their hogs and cattle. Hog cholera and Bang's disease are suitable subjects for Federal appropriations, but malnutrition and tuberculosis among children are not. Why?

Mr. Chairman, I wish to reiterate my opening statement, that when the line is drawn between States' rights and children's rights, I am on the side of the children. I do not consider appropriating funds to give milk and fruit to hungry kids an act which will undermine our democracy. The thing which is much more likely to undermine our democracy is to let the kids grow up hungry and ignorant, hating their Government instead of loving and respecting it. The school-

lunch program will help the children to know that the Government is interested in their welfare, and is not just a cold and remote agency in which they have no interest.

Henry Ford 2d Answers Mr. Bowles

EXTENSION OF REMARKS OF

HON. HOWARD H. BUFFETT

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1946

Mr. BUFFETT. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I include the following complete text of a telegram from Henry Ford 2d in Los Angeles last night to the Honorable BRENT SPENCE, chairman, House Banking and Currency Committee:

I have been informed that your committee is prepared to invite me to appear before you to comment on price controls as they affect the Ford Motor Co. I shall, of course, be happy to appear before the committee if there is really any public interest to be served. However, my opinions on this subject have already been expressed publicly in a telegram to the Director of War Mobilization and Reconversion on January 29 and again in an address in San Francisco on February 8. Copies of both of these are being mailed to you.

I am sure that everyone who has the best interests of this Nation at heart is doing what we are doing—everything we can to stop the present trend toward inflation. There are differences in opinion on how this can best be done.

Our part, as we see it, is to produce motor cars and trucks—as many as we can, as fast as we can. That has been our purpose since VJ-day. Our employees have cooperated. There have been no strikes at the Ford Motor Co. We have been forced to curtail production time and again because of strikes and shut-downs in the plants of our suppliers. Shortages of steel, caused by a dispute over both wages and prices, finally forced us to stop assembly lines completely.

Of course we know that price ceilings on most finished parts for new automobiles were removed last fall. But the statement of Mr. Bowles in this respect does not reflect all the facts. He does not make it clear that manufacturers who supply our suppliers with parts do have price ceilings. He also ignores the fact that parts for trucks and all automotive replacement parts are still subject to ceiling prices. The OPA supplementary order of August 29, 1945, to which Mr. Bowles referred, exempts passenger car original equipment from price ceilings but specifically excepts tires, batteries, radios, ferrous and nonferrous castings. The regulation also states examples under which such items as glass, electrical wire, forgings, upholstery, and similar items are not classified as parts unless at least partially fabricated.

As I said in San Francisco, a foundry which has supplied us for many years with gray iron castings told us they lost \$330,000 during 1945 because the cost to them of producing the castings we needed was above the price at which they were allowed to sell to us. They stopped supply.

Another supplier had been making thousands of small but vital truck parts for us for 50 cents each. His material prices had gone up so much after VJ-day that he asked OPA for permission to charge 61 cents. OPA said "No". They were willing to go as high as 54 cents. But the supplier could not pro-

duce parts at that figure and so he stopped manufacture. After considerable delay, we finally found two new suppliers. One is now furnishing us with the necessary parts at 82 cents, and one at 84 cents each, both with OPA approval.

In making public our estimates of last summer that motorcars would cost 55 percent more to make during the first postwar year than they cost in 1941, Mr. Bowles failed to make it clear that these estimates were submitted to OPA before OPA had announced any price regulations on new cars—more than a month before OPA had given us even the basis on which price ceilings were to be calculated.

What Mr. Bowles had to say on this point and the manner in which he chose to say it left the impression that we had secretly applied for a 55-percent increase in existing price ceilings. Actually, we have applied for no price relief on any of our cars since OPA ceilings were established.

Incidentally, those estimates of last July turned out to be pretty accurate. We estimated, for example, that our most popular model, which had cost \$512 to make in 1941, would cost us under postwar conditions about \$935. These figures do not include cost of advertising and selling or any profit. We found in November, before we reached scheduled production, that it was costing us \$963 to make this model.

Since then, we have cut that cost somewhat by increased production efficiency but in the meantime we have added about \$41,000,000 to our annual bill for wages, and have still to absorb increased costs to us and our suppliers due to the new price of steel.

Our OPA price to dealers on this model is \$728.

We do not want to get into public arguments with OPA or any other Government agency at this time, especially since the President late last week announced a new national wage-price formula. However, I have stated publicly my opinion that inflation is based on scarcity and that the way to prevent inflationary prices of manufactured products is to produce goods for people to buy with the money they have to spend.

We at Ford Motor Co. are going to continue to act in that belief.

Our job at Ford Motor Co. has always been to make more and more products at lower and lower prices so that more and more people can afford them. We look forward to the time when American industry can get back to this job under the constant stimulus of free competition.

HENRY FORD 2d.

We Need Bomb Control

EXTENSION OF REMARKS OF

HON. RALPH E. CHURCH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1946

Mr. CHURCH. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following editorial from the Chicago Daily News of February 19, 1946:

WE NEED BOMB CONTROL

More facts will have to be made public before we can fully evaluate the charges of Russian espionage in Canada, which, it is rumored, also extended into the United States.

It has been variously reported that the spies were trying to find out how to manufacture the atomic bomb, how to make certain electronic equipment (radar or prox-

imity fuses or both) or to learn Canadian-United States plans for repelling an Arctic invasion.

All major nations, we presume, maintain an information or spy service prying into the military secrets of their neighbors and alleged friends. When this ugly fact is made public it shocks our sensibilities and arouses our fears.

It is natural that Russia should be trying to find out how to manufacture atomic bombs, a secret that we gladly shared with the British and Canadians, but denied to the Russians while we were all fighting together.

This incident is only one of many that will exasperate international relations and strain our nerves until the United Nations finally set up controls of atomic bomb production that will make the whole world feel at least as safe as it did before the bomb was invented. Better still would be an honest limitation of all arms.

Resolution of Wilmington Grange, of New Wilmington, Pa.

EXTENSION OF REMARKS OF

HON. LOUIS E. GRAHAM

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1946

Mr. GRAHAM. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following resolution adopted by the Wilmington Grange, No. 1477, Patrons of Husbandry, on February 14, 1946, located at New Wilmington, Pa.:

Whereas the labor organizations, after being coddled and catered to for a number of years, have become obstreperous and should be controlled. After receiving exceptionally high wages during the war are not satisfied to continue working without an increase in pay, and have brought hardship and suffering, not only upon themselves and their families by striking, but will create a condition whereby many aged people, and others, who do not have any earning capacity and have been living on small fixed incomes, will not be able to exist without financial aid from some source; and

Whereas employers who provide the money to conduct their business are prevented from operating their plants in a normal business way by labor organizations; and

Whereas the farmers have been producing and selling under price ceilings which in some cases will not cover the cost of production, thus creating a food shortage which requires consumers to stand in line for essential food products which would be produced in sufficient quantities to supply the demand if it were not for Government restrictions and the scarcity and high cost of labor: Therefore be it

Resolved, That we go on record as favoring laws that will control labor organizations and make strikes, as now conducted, illegal, and give the employers an even break with labor, with the right to select their employees and discharge any who are inefficient or a menace to the successful operation of the business; be it also

Resolved, That we pledge our support to lawmakers who will support the enactment of laws to control strikes and provide other methods of settling labor disputes.

We insist on the enactment of laws that will carry a fine and imprisonment for anyone interfering with the marketing of farm produce.

We brand the strike of the Pittsburgh electrical workers as inhuman and should not be tolerated in any civilized country; be it also

Resolved, That since prices of many manufactured articles will increase in price on account of increased labor costs, that we as farmers insist that either price ceilings be abolished or raised to a point where the price will cover the cost of production of farm products caused by the increased cost of farm labor, all kinds of farm machinery, and other expenses.

Any controlling measures that prevent the farmers from receiving the cost of production will develop a scarcity of food and encourage a black market.

We favor holding prices down to prevent inflation, but since President Truman has favored increased costs and higher prices, we think that the farmers, after working 70 or 80 hours a week, are entitled to cost of production plus a small profit to partially pay for overtime work.

We regret that so many people have been influenced to follow communistic leaders.

We favor a 6-year, one-term office for the President of the United States.

A shortage of food may result, due to the strikes, as many farmers will be unable to secure the new machinery which they had expected to get.

The Yalta Agreement

EXTENSION OF REMARKS OF

HON. JOHN E. RANKIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1946

Mr. RANKIN. Mr. Speaker, one of the most controversial documents ever signed between representatives of different countries was that embodying the secret agreement consummated at Yalta on February 11, 1945, between President Franklin D. Roosevelt, Joseph Stalin, and Winston Churchill.

In order that every Member of Congress and everyone else who scans this RECORD may have an opportunity to read that famous document, I am inserting it at this point as a part of my remarks, just as it appeared in the New York Times under a Washington date line of February 11, 1946—just 1 year to a day after it was signed.

The matter referred to follows:

TEXT OF YALTA ACCORD ON SOVIET WAR ON JAPAN

The leaders of the three great powers—the Soviet Union, the United States of America, and Great Britain—have agreed that in 2 or 3 months after Germany has surrendered and the war in Europe has terminated the Soviet Union shall enter into the war against Japan on the side of the Allies on condition that:

1. The status quo in Outer Mongolia (the Mongolian People's Republic) shall be preserved;

2. The former rights of Russia violated by the treacherous attack of Japan in 1904 shall be restored, viz.:

(a) The southern part of Sakhalin, as well as all the islands adjacent to it, shall be returned to the Soviet Union,

(b) The commercial port of Dairen shall be internationalized, the preeminent interests of the Soviet Union in this port being safeguarded and the lease of Port Arthur as a naval base of the U. S. S. R. restored,

(c) The Chinese Eastern Railroad and the South Manchurian Railroad, which provides an outlet to Dairen, shall be jointly operated by the establishment of a joint Soviet-Chinese company, it being understood that the preeminent interests of the Soviet Union shall be safeguarded and that China shall retain full sovereignty in Manchuria;

3. The Kurile Islands shall be handed over to the Soviet Union.

It is understood that the agreement concerning Outer Mongolia and the ports and railroads referred to above will require concurrence of Generalissimo Chiang Kai-shek. The President will take measures in order to obtain this concurrence on advice from Marshal Stalin.

The heads of the three great powers have agreed that these claims of the Soviet Union shall be unquestionably fulfilled after Japan has been defeated.

For its part the Soviet Union expresses its readiness to conclude with the National Government of China a pact of friendship and alliance between the U. S. S. R. and China in order to render assistance to China with its armed forces for the purpose of liberating China from the Japanese yoke.

J. STALIN.

FRANKLIN D. ROOSEVELT.

WINSTON S. CHURCHILL.

FEBRUARY 11, 1945.

Veterans' Benefits

EXTENSION OF REMARKS OF

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1946

Mr. SIKES. Mr. Speaker, I would like to offer an analysis of measures now in force for the benefit of veterans of World War II. I feel that such a digest of the law will be a useful and ready reference of practical assistance to the veterans. The present program is a comprehensive one, which is intended by Congress to really serve the veterans. Its cost for the ensuing 12 months is estimated at nearly \$5,000,000,000.

DIGEST OF VETERANS' BENEFITS ELIGIBILITY

A veteran must have served in the active military or naval service on or after September 16, 1940, and prior to the termination of the present war. He must have been discharged or released under conditions other than dishonorable after active service of 90 days or more or because of an injury or disability incurred in line of duty.

MONEY

1. **Mustering-out pay:** Service personnel up through the rank of captain in the Army and Marine Corps and senior lieutenants in the Navy and Coast Guard are entitled to: (a) \$300 mustering-out pay if they have performed active service for at least 60 days outside the United States; or (b) \$200 mustering-out pay if they have performed active service for at least 60 days no part of which was served outside of the United States; or (c) \$100 for any active service less than 60 days.

2. **Bonus:** Public Law 268 repeals that portion of the law, which provided that any financial benefits received under the act would be deducted from any future bonus authorized.

3. **Retirement pay:** Service personnel on active duty for more than 30 days and disabled from disease or injury received in the

line of duty are entitled to receive the same retirement pay as now provided for regular personnel of the service.

4. **Pensions:** Discharge or release from service under conditions other than dishonorable is a prerequisite to veterans' benefits. Any veteran having a 10-percent or more disability resulting from disease or injury incurred in or aggravated by war service will, if his application is approved, receive the following amount:

Percent of disability:	Amount payable per month
10 -----	\$11.50
20 -----	23.00
30 -----	34.50
40 -----	46.00
50 -----	57.50
60 -----	69.00
70 -----	80.50
80 -----	92.00
90 -----	103.50
Total disability -----	115.00

Eligibility for pensions for nonservice-connected disabilities requires honorable discharge and 90 days wartime service—or if period of service was less than 90 days, have been discharged for disability incurred in service in the line of duty. The disability must be permanently and totally disabling and not due to the veterans' own willful misconduct.

Any single veteran with an annual income of over \$1,000, or any married veteran—or with dependent minor children—with an annual income over \$2,500, is ineligible for non-service-connected disability pensions. This pension is \$50 per month and is increased to \$60 upon 10 years of continuous, permanent, total disability or upon reaching the age of 65.

5. **Insurance:** Service personnel are eligible for the cheapest and best life insurance attainable—the National Service Life Insurance. This is term insurance for 8 years, convertible into ordinary life, twenty-payment life, or thirty-payment life policies.

Insurance that has lapsed may be reinstated by the veteran, either within 6 months after date of separation from active service, or within 3 months after date of lapse, whichever is later, by payment of only two monthly premiums without interest.

6. **Readjustment allowances:** Unemployed veterans who register with an office of the United States Employment Service are entitled to a readjustment allowance of \$20 per week while unemployed. An eligible veteran may receive such payments up to a maximum of 1 year, depending on length of service. Self-employed veterans with net earnings of less than \$100 per month may receive an allowance amounting to the difference between net earnings and \$100 in any month, up to a maximum of 1 year, also depending on length of service.

7. **Loans:** Veterans have up to 10 years after official end of the war in which to make application for guaranteed loan at no more than 4 percent interest. These loans are automatically guaranteed if made in accordance with the provisions of the act and if the amount does not exceed the appraisal made by an appraiser of the Veterans' Administration.

Any loan on real estate may be guaranteed up to a maximum guaranty of \$4,000 of the loan, with the Government guaranteeing 50 percent of the total loan up to the maximum amount. The business-loan guaranty limit remains at \$2,000, or 50 percent. Real-estate loans may be amortized over a period up to 25 years, and farm realty loans up to 40 years. Maturity on non-real-estate loans may not exceed 10 years.

Proceeds of a loan may be used to purchase a lot in connection with home construction. Loans may be made for all ordinary farming purchases, and any normal business enterprise, and so that existing indebtedness in default may be refinanced in connection with all types of eligible loans.

Feb

22

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued February 25, 1946, for actions of Thurs. and Fri., Feb. 21 and 22, 1946)

(For staff of the Department only)

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HIGHLIGHTS: House passed school lunch bill. House Ways and Means Committee reported bill to authorize USDA to condemn unfit materials to be used in process or renovated butter. Senate confirmed nomination of Porter as Price Administrator. Senate passed bills to restrict mineral development on, and adjust boundaries of, national forests. Senate passed bill to transfer an FSA rehabilitation project to N. Dak., for use of veterans. Rep. Jenkins stated New Deal is adopting program advocated by Republican Congressional Food Study Committee.

SENATE - February 21

1. NOMINATION. Confirmed the nomination of Paul Porter as Price Administrator (pp. 1548-9).
2. FORESTRY. Passed as reported S. 913, to protect scenic values along Catalina Highway in the Coronado National Forest, Ariz., by restricting mineral development (p. 1555).
Passed without amendment S. 1226, to readjust the exterior boundaries of the Kaibab National Forest and certain other lands, Ariz. (p. 1556).
3. RURAL REHABILITATION. Passed as reported S. 1336, to transfer the FSA Burlington Farms Project to N. Dak. for the benefit and rehabilitation of handicapped veterans (pp. 1555-6).
4. PURCHASING. Passed without amendment H. R. 2284, to prohibit payment of fees, kick-backs, or gifts by subcontractors in efforts to get Government contracts from prime contractors or a higher subcontractor (p. 1563). This bill will now be sent to the President.
5. BANKRUPTCY. Passed over, on objection of Sen. Cordon, Oreg., H. R. 4160, to set up a system of full-time salaried referees under the Bankruptcy Act (p. 1561).
6. CLAIMS. Passed without amendment H. R. 129, to provide relief for banks, merchants, etc., by limiting the time within which the Government may bring action to recover the proceeds of its checks by reason of forged endorsements or

unauthorized signatures (p. 1563). This bill will now be sent to the President

7. SURPLUS PROPERTY. The Military Affairs Committee submitted an interim report on disposal of surplus war plants (S. Rept. 987)(pp. 1564-5).

8. ST. LAWRENCE WATERWAY. Received a N. J. Legislature memorial opposing this project (pp. 1544-5).

9. PERSONNEL. Received a Virgin Islands Assembly petition favoring inclusion of Federal employees in those Islands under S. 1415, to increase Federal pay (p. 1545).

At the request of Sen. Cordon, Oreg., passed over S. 1325, to extend the Employees' Compensation Act to certain employees including those rendering service to the U. S. for nominal pay and without compensation (p. 1553). Sen. Fulbright, Ark., submitted an amendment which he intends to propose to the bill (p. 1547).

At the request of Sen. Revercomb, W. Va., passed over H. R. 2716, to authorize appropriations for health programs for Federal employees (p. 1557).

At the request of Sen. Revercomb, passed over S. 1105, to modify the penalties under the Hatch Political Activities Act, and then recommitted the bill to the Judiciary Committee for further study (p. 1560).

10. FEED SHORTAGE. Received a R. I. Legislature memorial requesting alleviation of the feed and grain shortage for dairy cattle and poultry flocks (p. 1545).

11. WILDLIFE CONSERVATION. The Territories and Insular Affairs Committee reported with amendment S. 965, to amend the Alaska game law (S. Rept. 982)(p. 1546).

12. ASSISTANT SECRETARIES OF COMMERCE. Passed without amendment S. 1367, to provide for three additional Assistant Secretaries of Commerce (p. 1554).

SENATE - February 22

13. SCHOOL LUNCH PROGRAM. Sen. Capper, Kans., inserted a letter from the National PTA Congress favoring S. 962, to authorize such a program, and stated that he is in favor of the bill (p. 1608).

H. R. 3370, the school-lunch bill, was placed on the Senate calendar (p. 1609).

14. ADJOURNED until Tues., Feb. 26. Committees were authorized to submit reports during recess. (p. 1609.)

HOUSE - February 21

15. SCHOOL LUNCH BILL. Passed with amendments, 275-101, this bill, H. R. 3370 (pp. 1567-76). Agreed to an amendment by Rep. Andresen, Minn., to strike out the \$15,000,000 authorization for the Office of Education (pp. 1568-73). Agreed, 252-110, to an amendment by Rep. Powell, N. Y., as modified by an amendment by Rep. Folger, N. C., to prohibit payment of Federal funds for providing food in any State or school if it discriminates because of race, creed, color, or national origin (pp. 1573-4)(this amendment had previously been agreed to in Committee of the Whole). Rejected, 121-260, a motion by Rep. Clevenger, Ohio, to recommit the bill to the Agriculture Committee (pp. 1574-5).

16. BUTTER INSPECTION. The Ways and Means Committee reported without amendment H. R. 3611, to authorize this Department to condemn materials intended for use in

leges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collusions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respect-

ed; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures

of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe; my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I

promise myself to realize without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES;

17th September, 1796.

WASHINGTON'S FAREWELL ADDRESS—
COMMENTS BY SENATOR WILEY

Mr. WILEY. Mr. President, I ask unanimous consent that there be printed in the RECORD brief comments by me on Washington's Farewell Address.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

The greatest tribute we can pay today to George Washington is to follow the spirit of his immortal counsel. Let us look at this counsel and see its meaning to the America of today.

1. Washington said, "In time of peace prepare for war." This is a hard but realistic policy for a peace-loving nation like America.

Particularly in this atomic age, with all its dangers of atom and rocket invasion, America must be eternally vigilant for her security. We must have the most modern weapons. We must have a coordinated intelligence service, which will keep us informed of foreign military actions.

The reported Russian spying on atomic secrets, coupled with Stalin's verbal attack on capitalism, his plans to build up heavy Russian industry and armament should all put us on our guard to make our defenses second to none.

The world is not yet in a state where the "innocent lamb can lie down with the lion" (or with the bear).

America must be as "wise as a serpent" in her vigilance and her preparations, while as "harmless as a dove" in her peaceful intentions. Washington would not only take the Government out of the "red" but the "reds" out of government.

Right now America, during this time of peace, is not preparing for future emergencies. A few labor bosses can cripple entire cities—can blot out their light, cut their food supply, paralyze their transportation. We must get effective peace-making machinery for labor-management disputes into action now. We must provide for arbitration, and in the case of utilities and Nation-wide industries for compulsory arbitration as a last resort in order to prevent strikes. This would be preparing in time of peace for future emergencies.

2. Washington counseled us to beware of the "insidious wiles of foreign influence." He stated that "the jealousy of a free people ought to be constantly awake since history and experience prove that foreign influence is one of the most baneful foes of republican government."

Never was this truer than today when all the tricks and subterfuges of foreign-inspired propaganda are being used to beguile us from the American way to the alien way, the collectivist way. We must keep America American. We must preserve our system of checks and balances from those alien-inspired individuals who would destroy it with regimentation.

3. Washington warned against "interweaving our destiny with any part of Europe or entangling our peace and prosperity in the toils of European ambitions, rivalry, interest, humor, or caprice." He stated further in his Farewell Address, "'Tis our true policy to steer clear of permanent alliance with any portion of the foreign world."

We have gone a long way from this doctrine. Before Pearl Harbor the American people, according to every public opinion poll, were 70 to 90 percent against intervention. Today by the same percentage, they want to give the United Nations Organization a fair chance to work out a just and lasting peace. We know we are a part of the world stage. We will do our part well.

But we ask, Will the other nations which for centuries have warred upon one another, have displayed greed and lust for power and spoils, which have evidenced their dislike for our republican form of government, will they play their part?

They are poker politicians; we must play poker politics, too. We must be realists, not weak sisters or Pollyannas or do-gooders, but stern realists, playing for the stakes of survival.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on February 21, 1946, he presented to the President of the United States the enrolled bill (S. 50) to permit settlement of accounts of deceased officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard, and of deceased commissioned officers of the Public Health Service, without administration of estates.

COMPULSORY MILITARY TRAINING—
MEMORIAL

Mr. CAPPER. Mr. President, I have received a memorial from the students of Buhler Rural High School, located at Buhler, Kans., expressing their opposition to compulsory military training in peacetime. I ask unanimous consent to present the memorial, and that it be appropriately referred and printed in the RECORD without the signatures attached.

There being no objection, the petition was received, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, without the signatures attached, as follows:

BUHLER RURAL HIGH SCHOOL,
Buhler, Kans., February 18, 1946.

DEAR SENATOR CAPPER: We, the undersigned, are students of Buhler Rural High School, located at Buhler, Kans. We feel that compulsory military training during peacetime is against American tradition and Christian ideals. We believe that we should express our opinion in this letter because it might encourage you in your stand against compulsory military training during peacetime. We hope that at this time when we in America have the opportunity to lead the world toward peace we shall not fail to grasp that opportunity. Compulsory military training during peacetime would be a step in the opposite direction. We encourage you and hope that you continue to work and use your influence against the adoption of compulsory military training in peacetime in any form.

SCHOOL-LUNCH PROGRAM

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a letter I have received from Mrs. William A. Hastings, president of the National Congress of Parents and Teachers, favoring the enactment of Senate bill 962, relating to a permanent school-lunch program. I am heartily in favor of this legislation.

There being no objection, the letter was received, ordered to lie on the table, and to be printed in the RECORD, as follows:

NATIONAL CONGRESS OF
PARENTS AND TEACHERS,
Chicago, Ill., February 19, 1946.

MY DEAR SENATOR: As you know, the National Congress of Parents and Teachers is actively supporting a permanent school-lunch program as embodied in Senate bill S. 962. We are working hard for the passage of this legislation, and we have repeatedly urged you to take favorable action on it.

We have learned that certain overzealous supporters of this same measure are asking the school children themselves to plead for this legislation by sending personal letters to you. The National Congress of Parents and Teachers deprecates this method of enlisting support. To exploit school children for any purpose, no matter how worthy, is wholly contrary to our policy.

Despite our earnest desire that Senate bill 962 be enacted into law, please know that the National Congress of Parents and Teachers did not request the school children to write to you. We trust you will support this legislation notwithstanding this child lobby for which we share your distaste. The health and nutritional needs of the children of America are of such importance that neither you nor we must be deterred in our efforts to establish a cooperative Federal-State school-lunch program.

Sincerely yours,

MINNETTA A. HASTINGS

(Mrs. William A. Hastings),
President.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WILSON, from the Committee on Claims:

S. 769. A bill for the relief of H. H. Ashbrook; with amendments (Rept. No. 988).

By Mr. RUSSELL, from the Committee on Immigration:

H. R. 388. A bill to amend section 201 (g) of the Nationality Act of 1940 (54 Stat. 1138-1139; 8 U. S. C. 601); with an amendment (Rept. No. 989).

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation two lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. GEORGE:

From the Committee on Finance:

O. Max Gardner, of North Carolina, to be Under Secretary of the Treasury;

John O'Keefe, of Pembina, N. Dak., to be collector of customs for customs collection district No. 34, with headquarters at Pembina, N. Dak. (reappointment);

Alexander H. Bell, of Norfolk, Va., to be collector of customs for customs collection district No. 14, with headquarters at Norfolk, Va. (reappointment); and

Maj. Gen. Graves Blanchard Erskine, United States Marine Corps, to be Retraining and Reemployment Administrator.

From the Committee on Foreign Relations:

Monnett B. Davis, of Colorado, to be a foreign-service officer of class 1, a secretary in the diplomatic service, and a consul general;

Walton C. Ferris, of Wisconsin, now a foreign-service officer of class 3 and a secretary.

in the diplomatic service, to be also a consul general;

Winthrop S. Greene, of Massachusetts, now a foreign-service officer of class 3 and a secretary in the diplomatic service, to be also a consul general;

Robert Grinnell, of New York, now a foreign-service officer of class 7 and a secretary in the diplomatic service, to be also a consul; and

Sundry persons to be foreign-service officers, unclassified, vice consuls of career, and secretaries in the diplomatic service of the United States of America.

By Mr. RADCLIFFE, from the Committee on Finance:

Elmer F. Kelm, of Chanhassen, Minn., to be collector of internal revenue for the district of Minnesota, in place of Arthur D. Reynolds.

By Mr. PEPPER, from the Committee on Patents:

Thomas F. Murphy, of Massachusetts, to be Assistant Commissioner of Patents vice Conder C. Henry, resigned.

BILL INTRODUCED

Mr. MEAD introduced a bill (S. 1858) to fix the rate of postage on domestic air mail, and for other purposes, which was read twice by its title and referred to the Committee on Post Offices and Post Roads.

HOUSE BILL PLACED ON THE CALENDAR

The bill (H. R. 3370) to provide assistance to the States in the establishment,

maintenance, operation, and expansion of school-lunch programs, and for other purposes, was read twice by its title and ordered to be placed on the calendar.

COSTA RICA: A RURAL DEMOCRACY—ARTICLE BY JOSEPH F. THORNING

[Mr. RADCLIFFE asked and obtained leave to have printed in the RECORD an article entitled "Costa Rica: A Rural Democracy," by Dr. Joseph F. Thorning, of Maryland, printed in the Catholic Digest for January 1946, which appears in the Appendix.]

A FILIBUSTER DEFEATED A CONGRESSIONAL MISTAKE—ARTICLE FROM THE FORT SMITH (ARK.) TIMES RECORD

[Mr. McCLELLAN asked and obtained leave to have printed in the RECORD an article entitled "A Filibuster Defeated a Congressional Mistake," from the Fort Smith (Ark.) Times Record, which appears in the RECORD.]

NOT SOUTHERN ISSUE ALONE—EDITORIAL FROM THE ARKANSAS DEMOCRAT

[Mr. McCLELLAN asked and obtained leave to have printed in the RECORD an editorial entitled "Not Southern Issue Alone," from the Arkansas Democrat of February 5, 1946, which appears in the Appendix.]

IT'S NOT THE STEEL COMPANIES THAT WILL PAY—ARTICLE FROM THE ARKANSAS GAZETTE

[Mr. McCLELLAN asked and obtained leave to have printed in the RECORD an editorial entitled "It's Not the Steel Companies That Will Pay" from the Arkansas Gazette of

February 12, 1946, which appears in the Appendix.]

PUBLIC WILL PAY THE BILL—EDITORIAL FROM THE ARKANSAS DEMOCRAT

[Mr. McCLELLAN asked and obtained leave to have printed in the RECORD an editorial entitled "Public Will Pay the Bill" from the Arkansas Democrat of February 17, 1946, which appears in the Appendix.]

AUTHORIZATION FOR SUBMISSION OF REPORTS, FOR RECEPTION OF MESSAGES, AND SIGNING OF BILLS, ETC.

Mr. BARKLEY. Mr. President, I ask unanimous consent that, during the recess of the Senate, committees be authorized to make reports, either on proposed legislation or on nominations; that the Secretary of the Senate be authorized to receive messages from the House of Representatives; and that the President of the Senate be authorized to sign bills or resolutions ready for his signature.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

RECESS TO TUESDAY

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon on Tuesday next.

The motion was agreed to; and (at 1 o'clock and 7 minutes p. m.) the Senate took a recess until Tuesday, February 26, 1946, at 12 o'clock meridian.

House of Representatives

FRIDAY, FEBRUARY 22, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

God of our fathers, whose hand may be seen in shaping the destiny of our Nation, be near us that we may find Thee to be deeper than thought and stronger than argument. To some have come the victory of faith: the blind have seen, the lame have walked, and the poor have the gospel preached to them. O Christ of the market place, of the rich man's palace, and the poor man's hut, come to the altar of every soul with Thy blessing and Thy guidance.

Heavenly Father, the past is with us; every liberty-loving heart goes out today in praise and gratitude for him who left us a rich legacy of Christian verities in the quest for free government. By his chivalry of soul and undaunted spirit he reclaimed human rights, restored organized society, and became the morning star of the New World. Time has passed but it has not dimmed his character nor lessened our reverence for his memory. It remains, therefore, for us to guard, strengthen, and enrich the institutions to which he dedicated himself and his earthly store. Oh, may his spirit bend over us in holy benediction as we pray in the name of the world's Redeemer. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 129. An act to provide for the barring of certain claims by the United States in connection with Government checks and warrants;

H. R. 854. An act for the relief of Isabel Carlson;

H. R. 1315. An act for the relief of B. Pendino;

H. R. 1464. An act for the relief of Leonard Hutchings;

H. R. 1489. An act for the relief of Harold B. Alden and Walter E. Strohm;

H. R. 1848. An act for the relief of Max Hirsch;

H. R. 2168. An act for the relief of Charles Zucker;

H. R. 2171. An act for the relief of Solomon Schtiernan;

H. R. 2240. An act to credit certain service performed by members of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service prior to reaching 18 years of age for the purpose of computing longevity pay, and for other purposes;

H. R. 2970. An act for the relief of Harry C. Westover;

H. R. 2284. An act to eliminate the practice by subcontractors, under cost-plus-a-fixed-fee or cost reimbursable contracts of the United States, of paying fees or kickbacks, or of granting gifts or gratuities to employees of a cost-plus-a-fixed-fee or cost reimbursable prime contractors or of higher tier subcontractors for the purpose of securing the award of subcontracts or orders;

H. R. 2289. An act for the relief of Arnold Mecham;

H. R. 2393. An act for the relief of Elsie Peter;

H. R. 2452. An act for the relief of Sam Kalak;

H. R. 2661. An act for the relief of W. D. Jones and Ethel S. Jones;

H. R. 2724. An act for the relief of the legal guardian of Forest Eldon Powell;

H. R. 2728. An act for the relief of R. H. Sindle;

H. H. 2769. An act for the relief of C. Frank James;

H. R. 2963. An act for the relief of William Phillips;

H. R. 2974. An act for the relief of the estate of Bobby Messick;

H. R. 3028. An act to amend the act of August 17, 1937, as amended, relating to the establishment of the Cape Hatteras National Seashore Recreational Area in the State of North Carolina;

H. R. 3046. An act for the relief of Thomas A. Butler;

H. R. 3444. An act to grant the title of public lands to the town of Safford, Ariz., for the use of its municipal water system;

H. R. 3514. An act for the relief of the legal guardian of Olga Stanik, a minor;

H. R. 3580. An act to authorize municipalities and public-utility districts in the Territory of Alaska to issue revenue bonds for public-works purposes;

H. R. 3614. An act to ratify and confirm Act 33 of the Session Laws of Hawaii, 1945, extending the time within which revenue bonds may be issued and delivered under chapter 118, Revised Laws of Hawaii, 1945;

H. R. 3657. An act for the relief of Herman Trahn;

H. R. 3730. An act granting the consent of Congress to the State of West Virginia to construct, maintain, and operate a free highway bridge across the Monongahela River at or near Star City, W. Va.;

H. R. 3784. An act for the relief of C. H. Brumfield;

H. R. 3940. An act to revive and reenact the act entitled "An act granting the consent of Congress to Rensselaer and Saratoga Counties, N. Y., or to either of them, or any agency representing said counties, to construct, maintain, and operate a free highway bridge across the Hudson River between the city of Mechanicville and Hemstreet Park in the town of Schaghticoke, N. Y.," approved April 2, 1941;

H. R. 4249. An act for the relief of Lucy Delgado and Irma M. Delgado; and

H. R. 4932. An act to amend section 9 of the Boulder Canyon Project Act, approved December 21, 1928.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 1613. An act for the relief of Christopher Dance;

H. R. 1615. An act for the relief of the legal guardians of John Buchan and Lawrence Gillingham, minors;

H. R. 1854. An act for the relief of Thomas Sumner;

H. R. 2483. An act for the relief of the estate of Michael J. McDonough, deceased;

H. R. 2670. An act for the relief of the legal guardian of Kathleen Lawton McGuire;

H. R. 3791. An act for the relief of Mrs. Florence Mersman;

H. R. 3808. An act for the relief of the estate of William N. Therriault and Millicent Therriault;

H. R. 4571. An act to amend the First War Powers Act, 1941; and

H. R. 4652. An act to provide credit for past service to substitute employees of the postal service when appointed to regular positions; to extend annual and sick leave benefits to war service indefinite substitute employees; to fix the rate of compensation for temporary substitute rural carriers serving in the place of regular carriers in the armed forces; and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 220. An act to vest title to the U. S. S. *Wolverine* (ex-Michigan) in the foundation for the Original U. S. S. Michigan, Inc.;

S. 286. An act for the relief of James F. Desmond;

S. 396. An act providing for the transfer of a certain fish hatchery in Comanche County, Okla., to the city of Lawton, Okla.;

S. 913. An act to protect scenic values along and tributary to the Catalina Highway within the Coronado National Forest, Ariz.;

S. 983. An act for the relief of A. F. Crawford;

S. 1109. An act to restore to the Territory of Hawaii certain lands designated under section 203, title II, as available within the meaning of the Hawaiian Homes Commission Act of 1920, as amended;

S. 1162. An act to convey certain lands to the State of Wyoming;

S. 1163. An act to provide for the appointment of two additional district judges for the northern district of California;

S. 1184. An act for the relief of A. L. Clem and Ida M. Bryant;

S. 1185. An act to change the designation of Custer Battlefield National Cemetery, in the State of Montana, to "Custer Battlefield National Monument," and for other purposes;

S. 1190. An act for the relief of Mrs. Henry H. Hay;

S. 1126. An act to readjust the exterior boundaries of the Kaibab National Forest, the Grand Canyon National Game Preserve, and Arizona Grazing District No. 1, State of Arizona, and for other purposes;

S. 1273. An act to provide for the acquisition by exchange of non-Federal property within the Glacier National Park;

S. 1310. An act for the relief of Saunders Wholesale, Inc.;

S. 1319. An act for the relief of Mrs. Alice Condon;

S. 1336. An act to transfer certain real and personal property in Ward County, N. Dak., to

Calendar No. 998

79TH CONGRESS
2^D SESSION

H. R. 3370

IN THE SENATE OF THE UNITED STATES

FEBRUARY 22 (legislative day, JANUARY 18), 1946

Read twice and ordered to be placed on the calendar

AN ACT

To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "National School Lunch
4 Act".

DECLARATION OF POLICY

5
6 SEC. 2. It is hereby declared to be the policy of Con-
7 gress, as a measure of national security, to safeguard the
8 health and well-being of the Nation's children and to en-
9 courage the domestic consumption of nutritious agricultural
10 commodities and other food, by assisting the States, through

1 grants-in-aid and other means, in providing an adequate
2 supply of foods and other facilities for the establishment,
3 maintenance, operation, and expansion of nonprofit school-
4 lunch and nutrition-education programs.

5 TITLE I—ASSISTANCE IN PROVIDING FOOD

6 APPROPRIATIONS AUTHORIZED

7 SEC. 101. For each fiscal year, beginning with the
8 fiscal year ending June 30, 1947, there is hereby authorized
9 to be appropriated, out of money in the Treasury not other-
10 wise appropriated, such sums as may be necessary, not ex-
11 ceeding \$50,000,000, to enable the Secretary of Agricul-
12 ture (hereinafter referred to as the "Secretary") to carry
13 out the provisions of this title.

14 APPORTIONMENTS TO STATES

15 SEC. 102. The Secretary shall apportion among the States
16 during each fiscal year not less than 75 per centum of the
17 funds appropriated for such year for carrying out the provi-
18 sions of this title: *Provided*, That of the funds available to
19 the Secretary for the purposes of this title not in excess of
20 2 per centum thereof shall be available to the Secretary
21 for use directly in nonprofit child care centers: *Provided*
22 *further*, That of the funds made available by this title not
23 in excess of \$1,500,000 can be used in Alaska, Territory of
24 Hawaii, Puerto Rico, and the Virgin Islands. Apportion-
25 ment among the States shall be made on the basis of two

1 factors: (1) The number of children in the State between the
2 ages of five and seventeen, inclusive, and (2) the need for
3 assistance in the State as indicated by the relation of the
4 per capita income in the United States to the per capita
5 income in the State. The amount of the initial appor-
6 tionment to any State shall be determined by the fol-
7 lowing method: First, determine an index for the State
8 by multiplying factors (1) and (2); second, divide this
9 index by the sum of the indices for all the States; and,
10 finally, apply the figure thus obtained to the total funds
11 to be apportioned. For the purpose of this section, the
12 number of children in the State and per capita income
13 figures shall be the latest figures certified by the Department
14 of Commerce. For the purposes of this title, "school" means
15 any public or nonprofit private school of high-school grade or
16 under. If any State cannot utilize all funds so apportioned
17 to it, or if additional funds are available under this title
18 for apportionment among the States, the Secretary shall
19 make further apportionments to the remaining States in
20 the same manner.

21 DIRECT FEDERAL EXPENDITURE

22 SEC. 103. The funds appropriated for any fiscal year
23 for carrying out the provisions of this title, less such amounts
24 as the Congress makes available to the Secretary for his
25 administrative expenses (but not in excess of 3 per centum

1 of the funds appropriated for the purposes of this title) and
2 less the amount apportioned by him among the States pursuant
3 to section 102 and less the amount allotted to nonprofit child
4 care centers, shall be available to the Secretary during such
5 year for direct expenditure by him for agricultural commodi-
6 ties and other foods to be distributed among the States and
7 schools participating in the school-lunch program under this
8 title in accordance with the needs as determined by the school
9 authorities. The provisions of law contained in the proviso
10 of the Act of June 28, 1937 (50 Stat. 323), facilitating
11 operations with respect to the purchase and disposition of
12 surplus agricultural commodities under section 32 of the Act
13 approved August 24, 1935 (49 Stat. 774), as amended,
14 shall, to the extent not inconsistent with the provisions of
15 this title, also be applicable to expenditures of funds by the
16 Secretary under this title.

17 PAYMENTS TO STATES

18 SEC. 104. (a) Funds apportioned to any State pur-
19 suant to section 102 during any fiscal year shall be avail-
20 able for payment to such State for disbursement by the
21 State educational agency, in accordance with agreements
22 entered into by the Secretary and such State educational
23 agency, as authorized by the provisions of this title, for the
24 purpose of assisting schools of that State during such fiscal

1 year, in supplying agricultural commodities and other foods
2 for consumption by children in the school-lunch program
3 under this title. Such payments to any State during the
4 fiscal year 1947 shall be made upon condition that each
5 dollar thereof will be matched during each such year by
6 one dollar from sources within the State determined by
7 the Secretary to have been expended in connection with
8 the school-lunch program under this title. Such payments
9 during the fiscal year 1948 shall be made upon condition
10 that each dollar thereof will be so matched by two dollars.
11 Such payments during the fiscal years 1949 and 1950 shall
12 be made upon condition that each dollar thereof will be
13 so matched by three dollars; and for any fiscal year there-
14 after, such payments shall be made upon condition that
15 each dollar will be so matched by four dollars. In
16 the case of any State whose per capita income is less
17 than the per capita income of the United States, the match-
18 ing required for any fiscal year shall be decreased by the
19 percentage which the State per capita income is below the
20 per capita income of the United States. For the purpose
21 of determining whether the matching requirements of this
22 section and section 108 (d), respectively, have been met, the
23 reasonable value of donated services, supplies, facilities, and
24 equipment as certified, respectively, by the State educational

1 agency and, in the case of schools receiving funds pursuant
2 to section 108 (d), by such schools (but not the cost or value
3 of land, of the acquisition, construction, or alteration of build-
4 ings, of commodities donated by the Secretary, or of Fed-
5 eral contributions made pursuant to title II) may be regarded
6 as funds from sources within the State expended in con-
7 nection with the school-lunch program. The Secretary shall
8 certify to the Secretary of the Treasury from time to time
9 the amounts to be paid to any State under this section and
10 the time or times such amounts are to be paid; and the
11 Secretary of the Treasury shall pay to the State at the
12 time or times fixed by the Secretary the amounts so
13 certified.

14 (b) In the event that the total of the funds from
15 sources within the State which may be considered as match-
16 ing funds under this section or section 202 (c) do not
17 completely match, in accordance with the requirements of
18 such sections, the funds apportioned to the State under
19 both titles I and II (and not withheld under section 108
20 (d)), the State educational agency may determine from
21 time to time the application of such funds from sources
22 within the State against the matching requirements of this
23 section and section 202 (c), respectively, except that funds
24 from sources within the State used in connection with schools

1 not participating in the school-lunch program under title I
2 may not be used for matching funds under title I.

3 STATE DISBURSEMENT TO SCHOOLS

4 SEC. 105. Funds paid to any State during any fiscal
5 year pursuant to section 104 shall be disbursed by the State
6 educational agency, under such agreements made in accord-
7 ance with the provisions of this title and approved by
8 the Secretary as may be entered into by such State agency
9 and the schools in the State, to those schools in the
10 State which the State educational agency, taking into
11 account need and attendance, determines are eligible to
12 participate in the school-lunch program under this title.
13 Such disbursement to any school shall be made only for
14 the purpose of reimbursing it for the cost of obtaining agri-
15 cultural commodities and other foods for consumption by
16 children in the school-lunch program under this title. Such
17 cost may include, in addition to the purchase price of agri-
18 cultural commodities and other foods, the cost of processing,
19 distributing, transporting, storing, or handling thereof but
20 not the cost of administrative, supervisory, or other personal
21 services incurred in connection with the school-lunch pro-
22 gram under this title. In no event shall such disbursement
23 to any school for any fiscal year exceed an amount deter-
24 mined by multiplying the number of lunches served in the

1 school in the school-lunch program under this title during
2 such year by the maximum Federal food cost contribution
3 rate for the State, for the type of lunch served, as prescribed
4 by the Secretary.

5 NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

6 SEC. 106. Lunches served by schools participating in
7 the school-lunch program under this title shall meet mini-
8 mum nutritional requirements prescribed by the Secretary
9 on the basis of tested nutritional research. Such meals shall
10 be served without cost, or at a reduced cost, to children
11 who are determined by local school authorities to be un-
12 able to pay the full cost of the lunch. No physical
13 segregation of or other discrimination against any child shall
14 be made by the school because of his inability to pay. School-
15 lunch programs under this title shall be operated on a non-
16 profit basis. Each school shall, insofar as practicable, utilize
17 in its lunch program commodities designated from time to
18 time by the Secretary as being in abundance, either nationally
19 or in the school area, or commodities donated by the Secre-
20 tary. Commodities purchased under the authority of sec-
21 tion 32 of the Act of August 24, 1935 (49 Stat. 774), as
22 amended, may be donated by the Secretary to schools, in
23 accordance with the needs as determined by local school
24 authorities for utilization in the school-lunch program under

1 this title as well as to other schools and institutions now
2 authorized to receive such commodities.

3 STATE EDUCATIONAL POLICIES PRESERVED

4 SEC. 107. In carrying out the provisions of this title,
5 neither the Secretary nor the State shall impose any re-
6 quirement with respect to administration, teaching person-
7 nel, curriculum, instruction, methods of instruction, or ma-
8 terials of instruction of any school. No funds made available
9 pursuant to this title shall be paid or disbursed to any State
10 or school if, in carrying out its functions under this title, it
11 makes any discrimination because of race, creed, color, or
12 national origin of children.

13 MISCELLANEOUS PROVISIONS AND DEFINITIONS

14 SEC. 108. (a) States, State educational agencies, and
15 schools participating in the school-lunch program under this
16 title shall keep such accounts and records as may be neces-
17 sary to enable the Secretary to determine whether the pro-
18 visions of this title are being complied with. Such accounts
19 and records shall at all times be available for inspection
20 and audit by representatives of the Secretary and shall be
21 preserved for such period of time, not in excess of five years,
22 as the Secretary determines is necessary.

23 (b) The Secretary shall incorporate, in his agreements
24 with the State educational agencies, the express require-

1 ments under this title with respect to the operation of the
2 school-lunch program under this title insofar as they may be
3 applicable and such other provisions as in his opinion are
4 reasonably necessary or appropriate to effectuate the pur-
5 poses of this title.

6 (c) For the purposes of this title, (1) "Secretary"
7 means the Secretary of Agriculture of the United States; (2)
8 "State" includes the District of Columbia, Territory of
9 Hawaii, Puerto Rico, Alaska, and the Virgin Islands;
10 (3) "State educational agency" means, as the State legis-
11 lature may determine, (a) the chief State school officer
12 (such as the State superintendent of public instruction, com-
13 missioner of education, or similar officer), or (b) a board
14 of education controlling the State department of education;
15 except that in the District of Columbia it shall mean the
16 Board of Education, and except that for the period ending
17 June 30, 1948, "State educational agency" may mean any
18 agency or agencies within the State designated by the gov-
19 ernor to carry out the functions herein required of a State
20 educational agency; and (4) "nonprofit private school"
21 means any private school exempt from income tax under
22 section 101 (6) of the Internal Revenue Code, as amended.

23 (d) If, in any State, the State educational agency is
24 not permitted by law to disburse the funds paid to it under
25 this title to nonprofit private schools in the State, or is not

1 permitted by law to match Federal funds made available for
2 use by such nonprofit private schools, the Secretary shall
3 withhold from the funds apportioned to any such State under
4 section 102 of this title the same proportion of the funds as
5 the number of children between the ages of five and seven-
6 teen, inclusive, attending nonprofit private schools within
7 the State is of the total number of persons of those ages
8 within the State attending school. The Secretary shall dis-
9 burse the funds so withheld directly to the nonprofit private
10 schools within said State for the same purposes and subject
11 to the same conditions as are authorized or required with
12 respect to the disbursements to schools within the State
13 by the State educational agency including, but not restricted
14 to, the requirement that any such payment or payments shall
15 be matched, in the proportion specified in section 104 for
16 such State, by funds from sources within the State expended
17 by nonprofit private schools within the State participating
18 in the school-lunch program under this title. Such funds
19 shall not be considered a part of the funds constituting the
20 matching funds under the terms of section 104 or section
21 202 (c).

22 (e) The funds apportioned to nonprofit child-care
23 centers shall be disbursed by the Secretary directly to non-
24 profit child-care centers for the same purposes and subject
25 to the same conditions, except the requirements as to the

1 method of apportionment set forth in section 102, as are
2 authorized or required with respect to disbursements to
3 schools within the respective State, including but not being
4 restricted to the requirement that any such payment or
5 payments shall be matched in the proportion specified in
6 section 104 for such State for such year by funds from
7 sources within the respective State expended by nonprofit
8 child-care centers within that State participating in the
9 school-lunch program under this title. The funds from
10 sources within the State expended under this title by such
11 nonprofit child-care centers shall not be considered as a
12 part of the funds, from sources within the State, constituting
13 the matching funds of public schools or nonprofit private
14 schools in that State.

15 (f) The term "child care centers" as used in this title
16 shall include nonprofit foster homes and orphanages.

Passed the House of Representatives February 21, 1946.

Attest:

SOUTH TRIMBLE,

Clerk.

AN ACT

To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

FEBRUARY 22 (legislative day, JANUARY 18), 1946

Read twice and ordered to be placed on the calendar

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued February 27, 1946, for actions of Mon. and Tues., Feb. 25, 26, 1946)

(For staff of the Department only)

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HIGHLIGHTS: Sen. Committee reported urgent deficiency appropriation bill (contains \$100,000,000 authorization for REA loans but restricts use). Senate Committee reported measure to authorize use of 1945-crop subsidies funds for 1946 programs. Received proposed increase in limitation for "conservation and use". Senate passed school-lunch bill; conferees appointed. Received nomination of Krug as Interior Secretary. House debated Patman housing bill (price control, subsidies).

SENATE - February 25

NOT IN SESSION.

1. URGENT DEFICIENCY APPROPRIATION BILL, 1946. The Appropriations Committee reported with amendments this bill, H. R. 5458 (S. Rept. 990)(p. 1629).

The Committee retained the \$100,000,000 RFC borrowing authorization for rural-electrification loans but added the following proviso: "That no part of this fund shall be available to the Rural Electrification Administration for the making of any loan for the construction of a generating plant unless the Federal Power Commission shall first certify that there is not sufficient electric current available in the area concerned at reasonable rates."

Other Committee amendments: Reduced the OPA item from \$1,854,000 to \$927,000. Reduced the CPA item from \$1,500,000 to \$750,000. Inserted an authorization for the Senate (during the 79th Congress) to hire Government employees for folding speeches and pamphlets.

2. SUBSIDIES. The Banking and Currency Committee reported with amendments H. J. Res. 301 (S. Rept. 991)(p. 1629). As so reported, this measure permits the subsidy funds already authorized for the 1945 crop program operations to be used with respect to 1946 crop programs relating to sugar, vegetables processed prior to July 1, 1946, and flaxseed harvested prior to that date. (The House version would permit the 1945 authorization to be used for any 1946 programs, but the Senate report indicates the Committee's belief that such a provision is too broad and that the general subsidies question should be considered separately.) The Senate Committee also added a provision increasing authorizations for the

RFC subsidies by \$125,000,000 for meat and \$25,000,000 for flour.

HOUSE - February 25

3. PMA APPROPRIATIONS. Received from the President a proposed provision to increase by \$600,000 the limitation on funds for administrative expenses, 1946, for conservation and use of agricultural land resources (H. Doc. 483)(p. 1627). These funds are to provide for the measurement of flue-cured tobacco acreage.
4. COUNTY FAIRS. Received a Pa. Association of County Fairs petition favoring the exempting from amusement tax of all admissions to fairs operated for the promotion of agriculture, horticulture, and domestic science (p. 1628).
5. HAWAII. The subcommittee of the Territories Committee submitted its report on questions and problems relating to Hawaii which contains data on farm acreage, farm production, etc. (Feb. 22)(H. Rept. 1620)(p. 1617).

SENATE - February 26

6. SCHOOL LUNCH PROGRAM. Passed with amendments H. R. 3370, the school lunch bill, with the language of S. 962, as amended, substituted therefor (pp. 1643-63).
Senate conferees appointed: Sens. Russell, Ellender, Bankhead, Capper, and Aiken (p. 1663).
Rejected amendments by Sen. Taft as follows: To decrease the annual authorization from \$100,000,000 to \$57,500,000 (the current appropriation), by a 21-50 vote (pp. 1658-61). To strike out the \$15,000,000 additional authorization for Office of Education, by a 25-47 vote (pp. 1661-3). Rejected an amendment by Sen. Donnell, Mo., to finance the program from a special fund to be set aside from revenues (Sen. Donnell claimed the bill is unconstitutional without such a provision)(pp. 1653-8).
7. INTERIOR NOMINATION. Received the nomination of J. A. Krug to be Secretary of the Interior (p. 1665).
8. PATENTS NOMINATION. Received the nomination of Thomas F. Murphy to be Assistant Commissioner of Patents (p. 1664).
9. MONOPOLIES. Sen. Morse, Oreg., inserted and discussed a letter from H. L. McCarthy stating that there is "great need of legislation to check the sinister growth of monopolies" (pp. 1664-5).
10. FOOD PRODUCTION; SOCIAL SECURITY. Received a Calif. Assembly memorial urging relaxation of social-security restrictions to permit recipients of benefits to produce food (pp. 1630-1).
11. LABOR SECRETARIAT. The Education and Labor Committee reported without amendment S. 1298, to establish an office of Under Secretary of Labor and three offices of Assistant Secretary of Labor and to abolish the existing offices of Assistant Secretary and Second Assistant Secretary (S. Rept. 993)(p. 1632).
12. PARKING FACILITIES. The D. C. Committee reported with amendments H. R. 4283, to require parking facilities for persons employed in Federal office buildings in D. C. (S. Rept. 996)(p. 1632).
13. PRICE CONTROL. Sen. Wiley, Wis., criticized administration of the Price Control Act (pp. 1635-6).
Sen. Lucas, Ill., criticized the methods of OPA's enforcement operations (pp. 1637-41).

31. SCHOOL LUNCH PROGRAM. Sen. Capper, Kans., inserted a Washington Post editorial favoring the school-lunch program (p. A1014).
32. ST. LAWRENCE WATERWAY. Rep. Rabaut, Mich., inserted his statement made before the Senate Committee on Foreign Relations stressing the need for the St. Lawrence seaway and power project (pp. A1017-9).
Rep. Keogh, N.Y., inserted Sen. Head's N.Y. Labor and Industry Committee address opposing this project (pp. A1021-2).
Rep. Canfield, N.J., inserted a Newark (N.J.) Star-Ledger editorial urging deferment of debate on this project "until more important problems are settled" (p. A1034).
Rep. Biemiller, Wis., inserted a Wis. Federation of Women's Clubs resolution favoring this project (p. A1046).
33. SURPLUS PROPERTY. Rep. Adams, N.H., inserted a Daily Metal Reporter article commenting favorably on the record established by the Government in surplus property disposals (pp. A1030-1).
34. FORESTRY. Rep. Angell, Oreg., inserted a Sunday Oregonian article calling attention to the recreational opportunities offered in the National Forests (pp. A1040-2).
35. SMALL BUSINESS: PRICE CONTROL. Extension of remarks of Rep. Pittenger, Minn., opposing the continuation of the OPA, and charging that it is a hindrance to small business (pp. A1048, 1049-50).

NOTE:

36. AAA:TOBACCO. H.R. 5135, now Public Law 302, 79th Cong., (see Digest 28 and 29) was approved by the President Feb. 19, 1946 instead of Feb. 18 as was shown in Digest 29.

COMMITTEE-HEARINGS ANNOUNCEMENTS for Feb. 27: S.Atomic Energy (Groves); S.Agriculture, clothing shortage; S.Military Affairs, foreign surplus property (Gregory); S.Foreign Relations, St. Lawrence waterway; S.Banking and Currency, housing bill (ex.); H.Appropriations, Agriculture, rescission, deficiency (ex.); H.Banking and Currency, OPA extension (Snyder); H.Civil Service, Federal pay bill (Bowles); H.Irrigation and Reclamation, powers of Reclamation Bureau (ex.); H.Isular Affairs, Philippine rehabilitation (ex.); H.Merchant Marine, fish; H.Ways and Means, Social Security (Altmeyer); H.Post-war (ex.).

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For supplemental information and copies of legislative material referred to call Ext. 4654, or send to Room 113 Adm. Arrangements may be made to be kept advised routinely, of developments on any particular bill.

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college or the city must provide the land and facilities, public utilities, streets, water, and so forth; but apart from that, the houses are delivered to the university or the city, and are then rented to veterans—in the case of universities, to veterans who are students.

After 2 or 3 years the houses must be torn down. In the meantime the expenses are paid, and if there is anything left over the Federal Government gets the money back; but I do not believe there will be a great deal to come back in the way of excess rents.

I stated at the time of the previous appropriation that I disliked to vote for an appropriation of \$190,000,000 to be spent for housing which was purely temporary, which conceivably might last 5 years, but might be required for only 2 or 3 years. At the present time I dislike even more to vote for a further appropriation of \$250,000,000 for an additional 100,000 houses. In this case the cost per unit is greater. It is \$2,500, as compared with \$1,900. We have already used practically all the temporary houses, and the additional 100,000 units are to come from barracks and larger buildings owned by the Government, which must be torn down, and considerably more work must be done in converting them into residential units.

Nevertheless, there is a tremendous demand for such housing. The demand from colleges alone is for approximately 300,000 units. Many cities are also requesting them. We all know that many veterans are wholly unable to obtain homes. The advantage of this program is that it takes a very small amount of materials away from the construction of new houses from new materials. The materials involved in this case have already been used, and are all second-hand. The program requires a certain amount of labor to set the houses up again. As I say, I dislike to spend \$250,000,000 more for purely temporary housing, which will be entirely gone in another 2 or 3 years, but I do not see any alternative. The proposed program is certainly better than the program under which the Government would build new houses. It would not interfere with the development of the private building program. I believe that if we can take the edge off the demand, we may be able to reach the most serious cases of need and difficulty on the part of veterans who are returning from the war and are unable to find places to sleep for themselves, their wives, and their children. So on the whole, I think the bill should be passed.

There is one amendment on page 3, which provides as follows:

(e) The term "administrative expenses," as used in this title V, shall be deemed to include administrative expenses of the National Housing Agency in performing any functions with respect to priorities or allocations of materials or equipment for public or private housing, and of the Housing Expediter (including those of any Government agencies in carrying out parts of the authorized veterans' emergency housing program of the Housing Expediter, to the extent that additional administrative expenses of such agencies are thereby involved) in performing any functions with respect to facilitating the provision of veterans' housing.

This is intended as an authorization for the expenditures of certain agencies, but as I see it it is not an authorization that an appropriation made to the Housing Administrator may be used by other agencies unless the Committee on Appropriations sees fit so to recommend, and the Congress provides the appropriation. I believe that it is a great mistake to make an appropriation and then say that the Government department which receives the appropriation may apportion it to other Government Departments. I believe that the other Government Departments ought to come to the Committee on Appropriations. I wish to make it clear that in agreeing to this amendment, to which I first objected, I regard it merely as an authorization, and that the Congress is free to appropriate money for the other agencies in such manner as it sees fit.

Mr. President, I believe that the provision for the additional 100,000 temporary units for colleges and cities is justified only by the obligation which we owe to the veterans. I hope that the appropriation will be nonrecurring, and that we may never have to make a similar appropriation in the future.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is before the Senate and open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1821) was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend section 502 of the act entitled 'An act to expedite the provision of housing in connection with national defense, and for other purposes,' approved October 14, 1940, as amended, so as to authorize the appropriation of funds necessary to provide additional temporary housing units for distressed families of servicemen and for veterans and their families."

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3603) to provide for the sale of surplus war-built vessels, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 129. An act to provide for the barring of certain claims by the United States in connection with Government checks and warrants;

H. R. 2284. An act to eliminate the practice by subcontractors, under cost-plus-a-fixed-fee or cost-reimbursable contracts of the United States, of paying fees or kick-backs, or of granting gifts or gratuities to employees

of a cost-plus-a-fixed-fee or cost-reimbursable prime contractors or of higher tier subcontractors for the purpose of securing the award of subcontracts or orders;

H. R. 3580. An act to authorize municipalities and public utility districts in the Territory of Alaska to issue revenue bonds for public-works purposes;

H. R. 3603. An act to provide for the sale of surplus war-built vessels, and for other purposes; and

H. R. 4932. An act to amend section 9 of the Boulder Canyon Project Act, approved December 21, 1928.

SCHOOL-LUNCH PROGRAMS

Mr. RUSSELL. Mr. President, I move that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Senate bill 962, Calendar No. 552.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 962) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia [Mr. RUSSELL].

Mr. TAFT. Mr. President, I have no objection to the motion of the Senator from Georgia, but I feel that the bill is of very great importance. There has not been an opportunity to examine the bill which the House passed only yesterday or the day before. There may be a number of important issues which have not been brought to the attention of the Senate, and it seems to me that if the debate is to continue and there is a request that the bill go over until tomorrow for final disposition, the Senator should be willing to agree to such request.

Mr. RUSSELL. Mr. President, I always endeavor to be agreeable, and considerate of my colleagues in all things. I should not like to make a definite commitment to have the bill go over until tomorrow. I do not believe that there are any essential differences between the House bill and the Senate measure which cannot be pointed out easily and clearly. Certainly if there is any bill with which the Senate should be familiar, it is the school-lunch-program bill. The same philosophy which is adopted in this bill has been in appropriation bills for 4 or 5 years. The program has been the subject of committee hearings, not only before the standing Committee on Agriculture and Forestry, but also before the Committee on Appropriations. There is very little in the pending bill which is new or which goes beyond the program that is in actual operation at the present time.

Mr. TAFT. As I read the bill, it authorizes an appropriation for all time to come of \$115,000,000 a year, which is a good deal more than Congress has ever appropriated for this purpose. I understand that the bill has been on the calendar for 6 or 8 months; but the very fact that it was there and nothing was done about it rather led all of us to neglect it for the time being, and not devote the study to it which we should have devoted. I feel confident that if during the course of the debate a re-

quest should be made to have the bill go over until tomorrow, the Senator will agree to it. I am only giving notice that I may make such a request.

Mr. RUSSELL. If we cannot clear up any difficulty about the measure, we can discuss that question a little later.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia [Mr. RUSSELL] that the Senate proceed to the consideration of Senate bill 962.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry, with amendments.

The PRESIDING OFFICER. The clerk will state the amendments reported by the committee.

The first amendment of the Committee on Agriculture and Forestry was, under the heading "Title I—Assistance in Providing Food—Appropriations Authorized," in section 101, on page 2, line 9, after the figures "June 30", to strike out "1946" and insert "1947"; and in line 14, after the word "title", to strike out "For the fiscal year ending June 30, 1946, the funds made available to the Secretary under the item entitled 'School-lunch program', Department of Agriculture Appropriation Act, 1946, are hereby made immediately available for carrying out the provisions of this title during such year.", so as to make the section read:

SEC. 101. For each fiscal year, beginning with the fiscal year ending June 30, 1947, there is hereby authorized to be appropriated, out of money in the Treasury not otherwise appropriated, such sums as may be necessary, not exceeding \$100,000,000, to enable the Secretary of Agriculture hereinafter referred to as "the Secretary") to carry out the provisions of this title.

The amendment was agreed to.

The next amendment was, in section 104, on page 5, line 5, after the word "period", to strike out "1946" and insert "1947"; in line 21, after the word "section", to insert "and section 108 (d), respectively"; in line 24, after the word "certified", to insert "respectively"; in line 24, after the word "agency", to insert "and in case of schools receiving funds pursuant to section 108 (d), by such schools"; and on page 6, line 15, after the numerals "II", to insert "(and not withheld under sec. 108 (d))", so as to make the section read:

SEC. 104. (a) Funds apportioned to any State pursuant to section 102 during any fiscal year shall be available for payment to such State for disbursement by the State educational agency, in accordance with such agreements not inconsistent with the provisions of this act, as may be entered into by the Secretary and such State educational agency, for the purpose of assisting schools of that State during such fiscal year, in supplying agricultural commodities and other foods for consumption by children in the school-lunch program under this title. Such payments to any State in any fiscal year during the period 1947 to 1950, inclusive, shall be made upon condition that each dollar thereof will be matched during such year by \$1 from sources within the State determined by the Secretary to have been expended in connection with the school-lunch program under this title. Such payments in any fiscal year during the period 1951 to 1955, inclusive, shall be made upon

condition that each dollar thereof will be so matched by \$1.50; and for any fiscal year thereafter, such payments shall be made upon condition that each dollar will be so matched by \$3. In the case of any State whose per capita income is less than the per capita income of the United States, the matching required for any fiscal year shall be decreased by the percentage which the State per capita income is below the per capita income of the United States. For the purpose of determining whether the matching requirements of this section and section 108 (d), respectively, have been met, the reasonable value of donated services, supplies, facilities, and equipment as certified, respectively, by the State educational agency and in case of schools receiving funds pursuant to section 108 (d), by such schools (but not the cost or value of land, of the acquisition, construction, or alteration of buildings, of commodities donated by the Secretary, or of Federal contributions made pursuant to title II) may be regarded as funds from sources within the State expended in connection with the school-lunch program. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this section and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

(b) In the event that funds from sources within the State do not completely match, in accordance with the requirements of this act, the funds apportioned to the State under both titles I and II (and not withheld under sec. 108 (d)), the State educational agency may determine from time to time the application of funds from sources within the State against the matching requirements of the respective titles, except that funds from sources within the State used in connection with schools not participating in the school-lunch program under title I may not be used for matching funds under title I.

The amendment was agreed to.

The next amendment was, in section 108, on page 10, line 12, after the word "agency", to insert a semicolon and "and (4) 'nonprofit private school' means any private school exempt from income tax under section 101 (6) of the Internal Revenue Code, as amended."; and after line 15, to insert:

(d) If, in any State, the State educational agency is not permitted by law to disburse the funds paid to it under this title to nonprofit private schools in the State, or is not permitted by law to match Federal funds made available for use by such nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under section 102 of this title the same proportion of the funds as the number of children between the ages of 5 and 17, inclusive, attending nonprofit private schools within the State is of the total number of persons of those ages within the State attending school. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within said State for the same purposes and subject to the same conditions as are authorized or required with respect to the disbursements to schools within the State by the State educational agency including, but not restricted to, the requirement that any such payment or payments shall be matched, in the proportion specified in section 104 for such State, by funds from sources within the State expended by nonprofit private schools within the State participating in the school-lunch program under this title. Such funds shall not be considered a part of the funds constituting the matching funds under the terms of section 104 or section 202 (c).

So as to make the section read:

SEC. 108. (a) States, State educational agencies, and schools participating in the school-lunch program under this title shall keep such accounts and records as may be necessary to enable the Secretary to determine whether the provisions of this title are being complied with. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of 5 years, as the Secretary determines is necessary.

(b) The Secretary shall incorporate, in his agreements with the State educational agencies, the express requirements under this title with respect to the operation of the school-lunch program under this title insofar as they may be applicable and such other provisions as in his opinion are reasonably necessary or appropriate to effectuate the purposes of this title.

(c) For the purposes of this title, (1) "Secretary of Agriculture," during the existence of the War Food Administration, shall mean the War Food Administrator; (2) "State" includes the District of Columbia, Territory of Hawaii, Puerto Rico, Alaska, and the Virgin Islands; and (3) "State educational agency" means, as the State legislature may determine, (a) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (b) a board of education controlling the State department of education; except that in the District of Columbia it shall mean the Board of Education, and except that for the period ending June 30, 1947, "State educational agency" may mean any agency or agencies within the State designated by the Governor to carry out the functions herein required of a State educational agency; and (4) "nonprofit private school" means any private school exempt from income tax under section 101 (6) of the Internal Revenue Code, as amended.

(d) If, in any State, the State educational agency is not permitted by law to disburse the funds paid to it under this title to nonprofit private schools in the State, or is not permitted by law to match Federal funds made available for use by such nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under section 102 of this title the same proportion of the funds as the number of children between the ages of 5 and 17, inclusive, attending nonprofit private schools within the State is of the total number of persons of those ages within the State attending school. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within said State for the same purposes and subject to the same conditions as are authorized or required with respect to the disbursements to schools within the State by the State educational agency including, but not restricted to, the requirement that any such payment or payments shall be matched, in the proportion specified in section 104 for such State, by funds from sources within the State expended by nonprofit private schools within the State participating in the school-lunch program under this title. Such funds shall not be considered a part of the funds constituting the matching funds under the terms of section 104 or section 202 (c).

The amendment was agreed to.

The next amendment was, under the heading "Title II—Assistance in providing nutrition education and school-lunch facilities, appropriations authorized," in section 201, on page 11, line 20, after "June 30", to strike out "1946" and insert "1947", so as to make the section read:

SEC. 201. For each fiscal year, beginning with the fiscal year ending June 30, 1947, there is hereby authorized to be appropriated,

out of any money in the Treasury not otherwise appropriated, such sums as may be necessary, not exceeding \$15,000,000, to enable the United States Commission of Education (hereinafter referred to as the "Commissioner"), under the supervision and direction of the Federal Security Administrator, to carry out the provisions of this title.

The amendment was agreed to.

The next amendment was, in section 202, on page 13, at the beginning of line 11, to strike out "used; excluding", and insert "used, not counting funds excluded from section 104 by the last sentence of section 108 (d) and"; and in line 17, after "July 1," to strike out "1945" and insert "1946", so as to make the section read:

APPORTIONMENT AND PAYMENT TO STATES

SEC. 202. (a) The Commissioner shall apportion among the States during each fiscal year the funds appropriated for such year for carrying out the provisions of this title, less not to exceed \$175,000 thereof hereby made available to enable the Commissioner to carry out his functions under this title. Such apportionment shall be made in accordance with the provisions of section 102 governing the initial apportionment of funds to the States under title I, except that the apportionment to any State under this title shall not be less than \$10,000, and except that the apportionment of funds for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands shall not exceed \$450,000.

(b) From the funds apportioned to it under subsection (a) for a fiscal year, each State having a plan approved under this title shall be entitled to be paid an amount, limited as provided in subsection (c), which shall be used by the State educational agency, either directly or through grants to schools and school systems, to establish, maintain, operate, and expand school-lunch programs, to provide related nutrition education, and to provide and train technical and supervisory personnel and to provide equipment and facilities for such programs; except that such funds may not be used for the acquisition, construction, or alteration of buildings or for the purchase of land or food.

(c) Funds apportioned to a State pursuant to subsection (a) during any fiscal year shall be available for payment to the State only upon condition that such funds will be matched during such year, in the proportion specified in section 104 for such State for such year, by expenditures from sources within the State which are either expenditures specified in section 104 (a) or expenditures for the purposes for which funds paid to the State under this title may be used, not counting funds excluded from section 104 by the last sentence of section 108 (d) and expenditures which the State educational agency has applied against the matching requirements of section 104.

(d) The amount to which each State is entitled under subsection (b) for each quarter, beginning with the quarter commencing July 1, 1946, shall be computed and paid in the following manner:

The Commissioner shall, prior to the beginning of each quarter, estimate the amount to be paid to the State for such quarter under the provisions of subsection (b). He shall then certify to the Secretary of the Treasury the amount so estimated, reduced or increased as the case may be, by any sum by which he finds that his estimate for any prior quarter was greater or less than the amount which the State was entitled to be paid for such quarter. Upon receipt of such certification the Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, pay in accordance with such certification from the funds apportioned to such State under subsection (a).

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments. The bill is open to further amendment.

Mr. RUSSELL. Mr. President, I desire to make a brief statement with respect to the bill. As I stated a few moments ago, the subject matter of this bill is not new; it deal with a program which has been in effect for 10 years. There is nothing new in title I of the bill. It undertakes to enact definitive legislation of a permanent nature carrying on a school-lunch program similar to that which has been in effect for a number of years. It is a product of the experience which we have had in dealing with this program. It provides for legislative standards which will enable the schools of this Nation to know where they stand with respect to the program. Heretofore there have been schools which have hesitated to install school-lunch programs on account of the fact that the program was on a hand-to-mouth, year-to-year basis, and those who were charged with responsibility for operation of the schools have hesitated to incur the expenses which were necessary in order to purchase the equipment and embark on the program.

Mr. President, I may say that, in my opinion, this program has been one of the most helpful ones which have been inaugurated and promises to contribute more to the cause of public education in these United States than has any other policy which has been adopted since the creation of free public schools.

The bill, in following the program now in effect, authorizes an appropriation which can in no event exceed \$100,000,000. I am referring to title I of the bill. At the present time the Congress is appropriating or has appropriated \$57,500,000 for the program for the current fiscal year. Those funds will be exhausted in most of the States by April of this year, and an additional deficiency appropriation of \$7,500,000 will be necessary if cooperation on the part of the Federal Government is to continue throughout the scholastic year with the schools now having the lunch program.

Under the school-lunch program which has been in effect by virtue of provisions in the agricultural appropriation bill, the funds would be distributed, as between the several States, on the basis of need. The pending bill, in section 104, spells out the definition of need which has been applied by the Department of Agriculture in providing for the distribution of the fund. I wish to point out, Mr. President, that this bill provides for acceleration in the contributions from the States. At the present time the school-lunch program is in effect in approximately one-fourth of the schools of the Nation and is enjoyed by more than one-fourth of the school children. Approximately 8,000,000 children enjoy the benefits of the program at the present time, as compared to a total school attendance of approximately 26,000,000.

Under this bill the program will be available to all the schools of the Nation by the imposition of an increase of only about \$40,000,000 per annum on the part

of the Federal Government, but the States will eventually be required to contribute \$300,000,000. For the years 1947 to 1950, inclusive, the States must match this money on a dollar-for-dollar basis, such as that which obtains in the case of highways and in the case of the various other Federal grants-in-aid to education, including the vocational training programs and the other programs under laws already in effect for Federal aid with respect to various phases of education and advancement within the States.

Commencing in the year 1951, the State contributions must be stepped up to \$1.50 on the part of the States for every dollar that is contributed by the Federal Government. The bill provides that after 1955 the States shall match the funds on the basis of \$3 of State funds for every dollar contributed by the Federal Government, and the funds which will be available under the accelerated matching by the States, when added to the increase that is provided for in this bill to the Federal contribution, should at that time, unless there is a great increase in costs, enable practically every school in the Nation to participate in this program.

Mr. President, this bill provides that the Secretary of Agriculture or the War Food Administrator, so long as that office is in existence, shall deal with the departments of education of the several States. The interests of the Federal Government are protected by clauses which require an accounting and which give the right of examination of the books of those who are administering the funds.

There has been a great deal of misconception about the school-lunch program. In the first place, many of those who have opposed it object to the idea of giving free school lunches to the children. There is nothing on earth in this bill that provides or seeks to provide any free school lunch to all the school children of the Nation. The only children who are to receive a free school lunch are those who are certified by the local school authorities as being unable to pay for it. I do not mean to say that the Federal funds will not go into this program in the way of a partial subsidy, but no Federal funds can be expended for anything except food. Under title I, the Federal funds may not be expended for equipment, for the preparation or processing of food, or for the administration of the several school lunchrooms. They may be expended only for food. In every school of which I have any knowledge, in which this program is in operation, each of the children pays a small amount, such as 8 to 10 cents and as high as 20 cents, for his lunch when his parents are able to furnish the money for that purpose.

Seventy-five million dollars of the fund will be divided between the States to reimburse them for expenditures for food under the formula contained in section 101. The remaining \$25,000,000 is to be used by the War Food Administrator, or after that office has expired, to the Secretary of Agriculture for the purchase and handling of foods which are surplus, or which have been produced in such quantity that they have depressed the market. This program came into being

as a means of disposing of agricultural surpluses. It came into being when we were living in that paradoxical age when we had so much food to eat that people were starving, and farmers were producing so much that they were going into bankruptcy because they could not dispose of their products. The purpose of starting the school lunch program was to acquire those surplus commodities in order to enable the farmer to receive at least something for his products.

Twenty-five million dollars would be used to continue that part of the program. For example, it is anticipated that within a few months there will be a great surplus of eggs, and, through this program and this portion of the appropriation available to the War Food Administrator, approximately 7,000,000 dozen eggs, which would otherwise depress the market, may be purchased. We are all familiar with the fact that under the Steagall amendment Congress has the responsibility of maintaining farm prices at a level of 90 percent of parity of most commodities which are essential in any nutritional diet. This means no new out-of-pocket expenditure on the part of the Federal Government, because the Secretary of Agriculture would be required, under the terms of section 32, to purchase these commodities in any event. This bill merely provides an outlet of distribution whereby the excess of production may be put to a good use without in anywise depressing the market.

Mr. President, there exists another popular misconception. Many persons have said that they were opposed to federalizing the public-school system, and that the school lunch program is a step in that direction. I may say that the program has been in effect for about 10 years. We have had an opportunity during that time to see how much it would federalize the public-school system. The bill specifically forbids the Secretary of Agriculture from undertaking to make any requirement with respect to instruction or teaching personnel. He is given no authority whatever over the management of the schools. There is nothing new in the system. I doubt not that when the Morrill Act providing aid for land-grant colleges was passed—I believe the act was passed in 1862 or 1863, or at least during the 1860's—Senators stood on the floor and contended that Congress should not pass the bill to aid the various educational institutions of the country because to do so would be to federalize education. We have seen the Morrill Act in operation for more than 80 years, and we know that the land-grant colleges have not been federalized. They are still operating under State control, and the Morrill Act has been of tremendous advantage in bringing benefits of college education to millions of Americans who otherwise might not have enjoyed them. We have other Federal grants in aid to education. We have the Smith-Lever Act, the George-Deen Act, and other acts wherein the administration is left to the State, and in no case have the prophecies of the Jeremiahs that education would be federalized come true.

Mr. President, I see nothing subversive in the school-lunch program. It has been attacked on the ground that it would bring about communism and perhaps socialism. In my opinion, a school child who has a good bowl of hot soup and a glass of sweet milk for his lunch will be much more likely to be able to resist communism or socialism than would one who had for his lunch a hard biscuit which had been baked the day before and which he had brought with him to school in a tin can.

This program has been of vast benefit in improving the standards of nutrition in this country. I have investigated the situation within my own State. I have found that what the children have learned in school concerning the preparation of food in the school and the value of various foods, was carried home to their parents. In some cases school children were able to educate their own parents as to a better use of food, and as to the nutritive values of various foods.

Mr. President, with reference to title II of the bill, I may say that it authorizes an appropriation of \$15,000,000 to the Office of the United States Commissioner of Education. It represents an activity which is not now in effect. Statements which I have made as to our 10-year experience with this program do not apply to title II. However, we know that during the life of the National Youth Administration that agency furnished some skilled personnel to the schools to assist in the preparation and supply of school lunches. The WPA also had persons on its pay roll who were familiar with the handling of foods, and they were also available to the schools in the early days of the program. But title II provides for an appropriation as a grant-in-aid to the States which must be matched by the States to assist in furnishing training for those who will supervise the program, and to provide equipment and facilities for it. Of course, there is imposed the limitation that none of the funds may be used for the acquisition, construction, or alteration of buildings, or for the purchase of land.

Mr. President, this bill has been carefully drawn to protect the integrity of the State school system. It has been carefully drawn to endeavor to protect the rights of all school children of this Nation of whatever race, color, or creed. I may say that in 10 years of operation there has been no complaint that any State has discriminated against any child in any school because of his race, creed, or color. The program has been absolutely free of any charge of that nature. That policy is embodied within the pending bill.

Mention has been made of the fact that this bill authorizes a slight increase in the appropriation which has been previously made. Of course, funds must be matched on an increasing basis by the States. If the States do not match the funds, the appropriation will not be granted. But I am not so greatly concerned about this little increase in the Federal contribution which will enable the States to expand the program over the entire country. On the whole, it will amount approximately to only \$40,000,-

000 more than we have been expending for the past 10 years for this work. I have seen the Senate of the United States, I believe without a record vote, appropriate \$2,700,000,000 in order to provide for the starving and distressed peoples in Europe. I have seen that done by this Congress. That sum would provide for this small increase for more than a hundred years in the future, and would benefit the citizens of the United States to whom we must look to guide the destinies of this great Republic.

Mr. President, there are a few slight differences between this and the House bill. I shall presently move to substitute the Senate bill for the House bill. In the first instance, the bill as it comes from the House contains an authorization for only \$50,000,000, which, as I have stated, would mean a reduction in the program instead of an increase, because we have already appropriated \$57,500,000 for this purpose for the current fiscal year. The Senate voted to increase the fund to \$65,000,000, and in the tortuous path that leads to the enactment of legislation it was necessary to surrender \$7,500,000 of that appropriation in the conference.

Another difference between the bill as it passed the House and the Senate committee bill is that the House bill ran the maximum program up to \$4 on the part of the States, whereas the Senate bill requires the States to put up only \$3 for each Federal dollar when the program has reached its fullest expansion.

The House bill also required a much more rapid acceleration of the increased matching on the part of the States than does the Senate bill.

Mr. President, I think this statement briefly covers the principal differences between the bill as it passed the House and the Senate committee bill.

As I have stated, there has been no piece of legislation in the Congress during my tenure here that has been so thoroughly investigated and so carefully examined by the committees of the Congress. The subcommittee of the Committee on Agriculture and Forestry of the Senate conducted long and exhaustive hearings. We heard from a number of officials of the Government, and from a large number of private citizens who were familiar with the program. We have all received expressions of interest on the part of many persons who are anxious that the program be not crippled, but that it be expanded so that its benefits to the school children of the Nation may be increased.

Furthermore, before the Committee on Appropriations for a number of years we have had hearings on this program. It is one with which every Senator is familiar, and the issues are very simple.

First, is it desirable that the program be given a statutory basis so that those who operate the schools of the Nation may have some certainty that the program will remain in operation?

Second, should the authorization for the appropriation be in the amount of \$100,000,000 a year?

Third—and this is the only other issue I can see—should or should not title 2 of the bill be adopted?

In my opinion all three of those questions can be answered only in the affirmative, and the bill should be enacted into law.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. TAFT. Can the Senator give me an idea of the cost of school lunches? Is there any figure accepted as to the ordinary cost of providing lunches for school children?

Mr. RUSSELL. The cost varies a great deal according to the section of the country. The bill provides that the school lunches shall be entirely on a nonprofit basis, that the schools may not make anything out of them.

Mr. TAFT. I understand that, but I wonder how extensive a program it is, and if all the school children in the United States, numbering at least 26,000,000, or, more likely, 30,000,000, under the Senator's bill, are to participate for, say, 200 days a year, 200 lunches apiece, what would the over-all cost be, not the Federal contribution, but the over-all cost?

Mr. RUSSELL. There are many imponderables, of course, such as what the prices of commodities will be, or what the wage rates will be for those who prepare the food. It is my own opinion that under present costs, at the time when the law has reached its maximum expansion, with the States required to contribute \$300,000,000 to match the \$100,000,000 provided by the Federal Government, it will be possible to install this program in practically every school in the United States.

Mr. TAFT. I understand that. That would mean that \$400,000,000 would be available.

Mr. RUSSELL. Yes.

Mr. TAFT. For from 26,000,000 to 30,000,000 children. But as I understood the Senator, most of those children pay for their lunches. Is that so?

Mr. RUSSELL. They do not pay for all of the lunch. They do not pay for the contribution the Federal Government makes of food.

Mr. TAFT. Why should not my child, going to a public school, pay for his lunch?

Mr. RUSSELL. I know of no reason why the Senator's child should not pay, and I assume he does.

Mr. TAFT. I understood the Senator to say that the only children furnished free lunches were those who could not afford to pay.

Mr. RUSSELL. That is correct.

Mr. TAFT. What proportion of the total cost of lunches has to be subsidized, under this program?

Mr. RUSSELL. It varies, because we have not undertaken to write a bill which would apply an inflexible program to every school in the United States. I do not think it is possible to do so. Certain general principles are set forth in the bill. It provides that it shall be a nonprofit program, and that the lunches shall be served at cost to children who are determined by local school authorities to be unable to pay.

Of course, heretofore the Federal Government has borne practically the entire cost of the food used in the program.

Where the school-lunch program has been in operation, and the nonprofit provision has applied to the child who could not pay anything, the Federal Government has borne the cost. It has varied in the different schools. Some of the schools have only utilized the food that has been furnished by the Department of Agriculture. In that case the cost to the school child was the amount that was necessary to pay for the preparation and the service of the food, and for the supervision of the lunchroom. The children have paid for that, or it has been contributed from local sources. What is paid by the child is considered as a part of the contribution that is made locally, a price which ran anywhere from 9 cents a meal up to as high as 20, depending on the character of the meal, and the location of the school, and local or State funds covered the cost of acquiring such food as was not furnished by the Federal Government, and the cost of personal services for preparing the lunch.

Mr. TAFT. What reason is there for three-fourths of the children of the country not paying the whole cost for their own lunches, including the food and everything else?

Mr. RUSSELL. My own opinion is that substantially more than three-fourths pay the cost, though not all of it.

Mr. TAFT. Why should not a family perfectly able to pay for its own food pay 15 cents if that is the whole cost, instead of 10 cents, and getting 5 cents subsidized? What is the purpose of that?

Mr. RUSSELL. One reason is that it is a means of disposing of surplus agricultural commodities without depressing the farmers prices too much.

Mr. TAFT. That seems to me to be wholly unjustifiable, for obviously if the food were delivered at the school, and the children had a regular school lunch, they would not buy that much somewhere else. So it seems to me obvious that the total amount that is spent on school lunches is just the same whether the Federal Government furnishes the food or whether the Federal Government gives the cash with which the food may be bought. I do not see what difference it makes so far as the total amount of agricultural products is concerned.

Mr. RUSSELL. It certainly makes a tremendous difference, because where the Federal Government does not furnish the incentive to the program, the food is not consumed, the children do not have it, and that is one of the strongest arguments for the bill, that every dollar that is spent on it does double duty. One result is the disposing of some agricultural commodity that is in excess, or that threatens to become excess and depress prices. I want to be perfectly frank; that has not been true during these days of war scarcity, but we have given assurances to the farmers, through the enactment of the Steagall amendment, that the prices of his products would be maintained at 90 percent of parity, and as surely as that the sun shines today, it will be necessary for the Federal Government to acquire large quantities of foods within the next 2 years to protect that 90 percent of par-

ity guaranteed the farmers. The other duty performed is to strengthen the children of the land and protect the national health by furnishing them a good meal and improving their diet.

Mr. TAFT. I suggest to the Senator that, so far as \$25,000,000 worth of food doing that job is concerned, it is merely a drop in the bucket, and it seems to me that feature of this program is wholly unimportant, so far as solving the agricultural problem is concerned.

Mr. RUSSELL. The Senator overlooks the fact that the entire program of \$100,000,000 is directed at the use of kinds of foods which are surplus or likely to become surplus, because not only does the Secretary of Agriculture have authority to expend \$25,000,000 directly, but he has the authority to make requirements as to foods that are surplus within the several sections of the country, and as to the purchases which are made in local schools with Federal funds.

Mr. TAFT. I am only saying that it does not seem to me to be an additional argument for this particular program that the commodities should be distributed in that way, rather than to pay cash and let the children buy the food. If there is a school program the great bulk of the children are going to eat just about the same, I would guess, in the long run.

Mr. RUSSELL. The Senator is certainly guessing. The statement is not sustained by the evidence presented to two committees of which I am a member. Nor do I think his guess would be sustained by the facts, because school children had not had as much food at lunch, or as desirable food, as they have had, since the institution of this school-lunch program.

Mr. AIKEN. Mr. President, if the Senator from Georgia will yield, I will point out the fact that, so far as unemployment and farm surpluses are concerned, they go hand in hand. When we have unemployment and reduced purchasing power, we have larger farm surpluses. And when large surpluses and low prices reduce the farm purchasing power, we get greater unemployment in the cities.

So this plan will work automatically. As the market is sustained through the school-lunch program and reduces the farm surpluses, to that extent it not only reduces the surplus but increases the purchasing power of the people of the city at the same time. The two go together. When we have a surplus on a farm, we have unemployment in the cities. If anyone doubts that all he has to do is to look back over the last 15 years. There never was a more self-evident truth. I think that even the little bit represented by the school-lunch program will go a long way toward correcting both undesirable conditions, with respect to farm surplus and city unemployment.

Mr. TAFT. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. TAFT. I still do not understand the situation. The Senator says that to cover this whole field would cost \$400,000,000. That is \$400,000,000 of subsidy, as I understand it. How much more

would the school children themselves have to pay to cover the whole cost of eating lunch every day?

Mr. RUSSELL. I think Mr. President, the amount that has been paid by the school children has been drawn into the total fund and has been considered a local contribution.

Mr. TAFT. I do not understand from the bill that those who pay for their own lunches are counted as a part of the local contribution.

Mr. RUSSELL. There is no question about that. That has been the case in all the 10 years during which the law has been in operation.

Mr. TAFT. Then it seems to me that the whole thing is not a matching idea. The States are not required to do anything. The Government does it all, except what individuals contribute.

Mr. RUSSELL. I realize, of course, that this program has never appealed to the Senator from Ohio. He raised the question about his son going to public school and paying for his lunch. I suggest that the Senator's son receives as much tuition in the public school as does the poorest child. They are on the same basis with respect to tuition, and might as well be on the same basis with respect to school lunches.

Mr. TAFT. We have long accepted the idea in this country that we are to give free tuition in public schools and free education, but not to feed everyone for nothing.

Mr. RUSSELL. The bill does not provide for feeding every child in the schools for nothing.

Mr. TAFT. Turning to page 5 of the bill, beginning in line 20, we find this language:

For the purpose of determining whether the matching requirements of this section and section 108 (d), respectively, have been met, the reasonable value of donated services, supplies, facilities, and equipment as certified, respectively, by the State educational agency and in case of schools receiving funds pursuant to section 108 (d), by such schools may be regarded as funds from sources within the State expended in connection with the school-lunch program.

But I do not see anything that indicates that the money paid by the children for their own lunches is a contribution by the States for the purpose of matching Federal funds.

Mr. RUSSELL. That has always been the case, and it is proposed that that course shall be followed under this measure.

Mr. TAFT. Can the Senator point out to me the provision under which that interpretation could be made?

Mr. RUSSELL. I think that interpretation could be made under the language just read by the Senator from Ohio—

Mr. TAFT. No. I suppose it would be under the language in line 7 on page 5, which reads:

will be matched during such year by \$1 from sources within the State determined by the Secretary to have been expended in connection with the school-lunch program.

Mr. RUSSELL. I thank the Senator. That clarifies it.

Mr. TAFT. It seems to me that what the Senator suggests is a very broad construction even of that language.

Mr. RUSSELL. It all goes into furnishing the school lunch, does it not?

Mr. TAFT. So the Senator's idea is that \$400,000,000 will cover the entire cost of all the lunches, not only the subsidized part, but the entire cost of the lunches for all the children?

Mr. RUSSELL. Unless there is a great increase in the cost of personnel services, it is my opinion that the \$400,000,000 will substantially cover a school-lunch program for the entire school system of the country.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. AIKEN. That would cover it at a future date, when instead of 30,000,000 school children we will probably have nearer 40,000,000. This provides for matching up to 1955, does it not, or 10 years hence?

Mr. RUSSELL. I base my estimate on the estimated school population of 26,000,000 pupils.

Mr. AIKEN. At the present time?

Mr. RUSSELL. Yes; at the present time.

Mr. AIKEN. And that would mean probably from 30,000,000 to 32,000,000 by 1955.

Mr. RUSSELL. It should; yes.

Mr. TAFT. Mr. President, will the Senator from Georgia again yield?

Mr. RUSSELL. I yield.

Mr. TAFT. Does not the bill include kindergartens and nursery schools as well as 26,000,000 pupils in the regular schools?

Mr. RUSSELL. Oh, yes; it applies to nursery schools in certain cases, but the formula for the distribution of the funds applies only to children between the ages of 5 and 17.

Mr. TAFT. That is the formula, but as I understand, the permission to provide the lunches extends to kindergartens; to anything under high-school grade.

Mr. RUSSELL. I do not so understand the bill. In my opinion, it applies only to the public schools and to private schools, because the bill refers specifically to children between the ages of 5 and 17, inclusive.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. SALTONSTALL. I should like to ask the Senator from Georgia a question. Two years ago the Federal Government, in carrying out the program in Massachusetts, started to deal directly with the city authorities, bypassing the State authority entirely. That was finally stopped by an administrative understanding. Under the terms of this bill, is such action possible, in the opinion of the honorable Senator, or must the Federal Government deal through the State agencies?

Mr. RUSSELL. In my opinion, the effort which was made at one time by the Department to deal directly with several individual schools was one of the worst mistakes they ever made in respect to this program. This bill requires them to deal with the State educational agency, and where there is no educational agency now authorized by the law of the State, to deal with the Department of Agriculture.

With respect to this program, the bill authorizes the Governor for a period of 2 years to designate any agency of the State, and the Department of Agriculture is required to deal with that State agency. That provision is made in order to give the legislature an opportunity to designate a State agency.

Mr. SALTONSTALL. But section 108 would permit the Secretary in certain cases to deal directly with nonprofit private schools; would it not?

Mr. RUSSELL. Yes. Section 108 (d), as I understand, is designed to enable the private schools which are now operating under the program, to continue to do so in the event there be a State law prohibiting the department of education of the State from dealing with a private, nonprofit school.

Mr. SALTONSTALL. On page 11 there would seem to be language which would permit the Federal Government to pay the whole cost of the lunches in the nonprofit private schools as opposed to the ordinary program in the public schools. In lines 6 and 7 we find the language: "including, but not restricted to, the requirement."

Does that go too far?

Mr. RUSSELL. I am glad the Senator has called that language to my attention. I had not caught that point in the amendments offered by the committee. Let me read the entire sentence:

The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within said State for the same purposes and subject to the same conditions as are authorized or required with respect to the disbursements to schools within the State by the State educational agency including, but not restricted to—

No; in my opinion that would require the nonprofit private schools to match.

Mr. SALTONSTALL. But if we continue that sentence with just one more line it would seem to indicate that the Federal Government could pay the whole cost.

Mr. RUSSELL. If that be true I should be happy to accept an amendment that the words "but not restricted to" be stricken. I think that would clarify the situation.

Mr. SALTONSTALL. Would it not be clearer if those words were stricken from the bill?

Mr. RUSSELL. I am inclined to agree with the Senator from Massachusetts.

Mr. SALTONSTALL. Would the honorable Senator care to offer such an amendment?

Mr. RUSSELL. I shall be happy to do so.

Mr. President, I move, on page 11, in lines 6 and 7, to strike the words "but not restricted to."

First, I ask that the committee amendment beginning in line 16 on page 10 and ending in line 14 on page 11 be reconsidered.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Georgia? The Chair hears none, and, without objection, the vote by which the amendment was agreed to is reconsidered.

The question is on agreeing to the amendment offered by the Senator from Georgia to the committee amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MAYBANK. The distinguished Senator from Massachusetts asked some questions which are of some concern to me. I wish to ask the Senator from Georgia a question. In connection with the disbursement of these funds to the States, insofar as agricultural products are concerned, there is no expense whatsoever attached to the distribution of the food, is there?

Mr. RUSSELL. Some of the cost of distribution, processing, and handling the food may be borne out of funds apportioned under section 104.

Mr. MAYBANK. Therefore in many instances the States themselves afford that service?

Mr. RUSSELL. Those operations may be paid for by either State or Federal funds.

Mr. MAYBANK. That is what I wanted to find out. I mean the distribution in the schools themselves.

Mr. RUSSELL. Oh, no; the Federal Government can incur no cost respecting distribution in the schools themselves.

Mr. MAYBANK. Therefore in keeping with the statement of the Senator from Massachusetts, whomsoever the State superintendent of education designates, or if he does not have the legal power to do so, someone whom the governor may designate, furnishes the food in the schools through the Parent-Teachers Association or some other organization.

Mr. RUSSELL. That is done by whoever happens to be supervising the school-lunch program.

Mr. MAYBANK. And there is no cost chargeable in connection with that?

Mr. RUSSELL. There is no cost chargeable to the Government in connection with the foods actually served in the lunch room. Under section 103 of the bill I think the Secretary is authorized to expend funds for the handling of these commodities because he is authorized to purchase them. He certainly would have to have someone to handle them. I think he would be authorized to spend funds for that purpose.

Mr. MAYBANK. I thoroughly agree, from a casual study of the bill. But there is no provision in the bill to pay the cost of preparing and furnishing the food within a school district or school.

Mr. RUSSELL. No. The Federal contribution is limited to the purchase of food. All the cost of handling, preparation, and serving of the food, and costs of supervision, must be borne by the State or local school authority. Of course, as the Senator states, in many cases the costs of those services are defrayed by the Parent-Teachers' Association, the Kiwanis Club, or other organizations which contribute to that end.

Mr. MAYBANK. Therefore there is a considerable local contribution in the form of services.

Mr. RUSSELL. At the present time the States, through contributions of serv-

ices and in other ways, are contributing more than the contribution of the Federal Government.

Mr. MAYBANK. The statement of the distinguished Senator from Ohio [Mr. TAFT] was to the effect that, regardless of who the pupils in the school may be, they receive these lunches. In the public-school systems throughout the country it would be totally impossible to segregate the pupils and differentiate between them on the basis of income. Does the Senator agree to that statement?

Mr. RUSSELL. Of course, any funds which are paid in go to the common fund for the school-lunch program.

Mr. MAYBANK. Therefore, a great many people pay in money—

Mr. RUSSELL. All contribute except those who the local school authority say are unable to contribute.

Mr. MAYBANK. That statement is consistent with what the Senator said in connection with free tuition.

Mr. RUSSELL. That is correct.

Mr. MAYBANK. The public schools of this country are open to all. Those with larger incomes naturally pay larger amounts in taxes. Those who are less fortunate pay less. But the public school system is open to all the people.

Mr. RUSSELL. That, of course, is correct.

Mr. MAYBANK. There is no State tuition fee in Georgia or South Carolina, and no differentiation on the basis of income.

Mr. RUSSELL. None whatever.

Mr. MAYBANK. The public-school system of our country is based on the common education of our people. The children, whether they be rich or poor, play together and go to school together, in the interest of a greater democracy.

Mr. RUSSELL. Of course, the public schools are available to all upon the same terms.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. DONNELL. I should like to ask the Senator from Georgia if he will be kind enough to state under what provision of the Constitution he thinks this bill is properly to be enacted by Congress.

Mr. RUSSELL. The Senator from Missouri is a profound constitutional lawyer. In my opinion, this bill comes under exactly the same powers of the Constitution under which we have been making appropriations for public improvements since the time of Thomas Jefferson, the same provision of the Constitution under which, since 1862, we have been making appropriations from Federal funds to every land-grant college in the country, including the great University of Missouri. It is the same provision of the Constitution under which we have been making contributions for vocational education in this country under the Smith-Lever Act, the George-Deen Act, and kindred laws, including aid to the blind and dependent children, under which grants-in-aid have been made by the Federal Government for purposes which the Congress of the United States deems to be of importance to the welfare and the progress of this country.

Mr. DONNELL. Will the Senator from Georgia please indicate precisely which section and article of the Constitution of the United States he refers to?

Mr. RUSSELL. I do not wish to enter into a constitutional argument with the Senator from Missouri.

Mr. DONNELL. I ask the distinguished Senator from Georgia if it is not a fact that the only possible constitutional basis on which the proposed law could stand would be the theory that it comes under the general welfare provision of the Constitution of the United States, namely, section 8 of article I of the Constitution of the United States?

Mr. RUSSELL. Appropriations have been made for kindred purposes for many years. If the appropriations are illegal, the Congress has violated the Constitution in this manner for more than a hundred years. I have heard the Senator from Missouri give very lengthy and learned discourses on the constitutionality of Federal appropriations, and I shall not enter into a discussion with the Senator as to the constitutional phases of this program. It has been in operation in this country for 10 years; and if no one has challenged the constitutionality of it up to this hour, I shall not debate it with the Senator from Missouri at this time.

Mr. DONNELL. I should like to ask the Senator from Georgia if he can place his finger on any provision of the Constitution of the United States under which such a statute would be authorized, except possibly section 8 of article I of the Constitution of the United States.

Mr. RUSSELL. I have already stated to the Senator—and I reiterate with all due deference and respect—that I shall not engage in any discussion of the constitutionality of this matter with the Senator from Missouri at this time. I have heard the Senator express his views at length on previous occasions.

Mr. DONNELL. Mr. President, I invite attention to the fact that on three separate occasions the Senator has declined, in substance, to indicate under what particular section or article of the Constitution he thinks the proposed statute would be valid.

If the Senator will be kind enough to yield for one further question, I should like to ask whether there is any provision in this bill to the general effect that a fund is to be set up, to consist of the proceeds of taxes, duties, imposts, or excises, from which fund the amounts to be appropriated, as authorized herein, shall be paid.

Mr. RUSSELL. Mr. President, with all deference to the Senator, I shall not enter into a constitutional discussion with him, and I shall decline to yield further to him. In the past I have listened to the profound constitutional discourses of the Senator, but I shall not do anything to provoke one of them in my time. The Senator may discuss the constitutionality of the measure in his own time.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. AIKEN. I wish to invite attention to something we have just done. I

wonder whether we have done what we thought we were doing.

After the colloquy between the Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from Georgia [Mr. RUSSELL] we voted to strike out the words "but not restricted to" on page 11, lines 6 and 7. Evidently those words were interpreted as giving the Secretary the right to waive the matching of funds by private schools. I wish the Senator from Georgia would read that language again and see if he thinks we did what we thought we were doing in adopting the amendment. As I read it, the language would not give the Secretary the right to waive the matching of funds, but would permit additional requirements in the case of private schools.

Mr. RUSSELL. I think the language of this provision is very confused. However, in my opinion, the amendment which we just adopted cannot in any degree hurt the schools in which the Senator from Vermont is interested.

Mr. AIKEN. That is entirely possible. However, inasmuch as this discussion has taken place, I wonder if we could have printed in the RECORD at this point in the discussion the portion of the bill which we are now considering.

Mr. RUSSELL. I should be happy to have it done.

Mr. AIKEN. Because very evidently the words we struck out would not have exempted the private schools from paying their share of the expense, although of course they could not pay it from public funds. As the language stands, they should pay from funds which they collect from other sources. What we have done is simply to require the private schools to match the funds, but we do not give the Secretary the right to put in additional requirements with respect to the private schools. I am perfectly satisfied with the amendment.

Mr. RUSSELL. It has been done heretofore. The private schools have operated on the same basis that the public schools have operated upon. With respect to matching, the private schools have operated in the same way that the public schools have operated, and certainly under the provisions of the bill the Secretary would simply require them to match the funds.

Mr. AIKEN. But otherwise the bill would have permitted the Secretary to place additional requirements on the private schools.

Mr. RUSSELL. Does the Senator from Vermont favor the imposition by the Secretary of additional requirements on the private schools?

Mr. AIKEN. No.

Mr. RUSSELL. I did not think the language served any useful purpose there; that was the impression I received in reading it over.

Mr. AIKEN. Yes; it was a rather perplexing paragraph. When we voted on it, I thought we were taking away from the Secretary the right to require the matching of funds on the part of the private schools. And from the discussion which occurred, I think other Members of the Senate thought the same.

However, I am perfectly satisfied with it as it is.

Mr. RUSSELL. I do not think we should waive the matching requirement on the part of any schools.

Mr. AIKEN. No.

Mr. RUSSELL. And I am satisfied that as the amendment now stands, these schools will be required to match the funds, regardless of any other restrictions which might be imposed.

Mr. AIKEN. I agree with the Senator, and I think the bill is better with the amendment. At the same time let me say that when the amendment was adopted I thought some Senators had the impression that it meant something else.

Mr. RUSSELL. From reading the section, I cannot see that that language added anything to it. I think it is just as well off without it.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Does the Senator from Georgia yield to the Senator from Kentucky?

Mr. RUSSELL. I yield.

Mr. BARKLEY. I have had some correspondence with persons in my State who seem to object to what I have not been able to find in the bill—something with reference to the decisions to be rendered in any locality by the home economics associations or organizations. I find no such provision in the bill.

Mr. RUSSELL. There is no such provision in the bill. Title I requires the Secretary of Agriculture to deal with the head of the educational system within the State, and title II requires the Commissioner of Education to deal with the same State authority.

Mr. BARKLEY. Yes, of course, if he had any understanding or agreement or working arrangement with any local association for the distribution of the fund—any arrangement which was legal under the State laws—he could make any arrangement he saw fit to make.

Mr. RUSSELL. So long as he followed the requirements with respect to matching, keeping books, and similar requirements.

Mr. BARKLEY. Yes. I have had some correspondence with respect to section 203, on page 14:

STATE PLANS

SEC. 203. (a) In order to be approved a State plan for the administration of school-lunch programs must—

(3) provide that the distribution to schools of funds paid to the State under this title, and equipment purchased with such funds, shall be only to public schools and school systems of high-school grade or under (including nonprofit private schools of high-school grade or under which receive public funds from the State or any school system thereof for payment of teachers' salaries), which undertake to furnish school lunches under agreements pursuant to title I.

In other words, if any private school system in the State of Kentucky which undertakes to provide school lunches is willing to match the contribution of the Federal Government under the State school system, it will be eligible to receive assistance, under this subsection. Is that the Senator's interpretation?

Mr. RUSSELL. No; I do not think so. Under subsection (3), as I understand it, any non-profit school which receives any public funds from the State would then be entitled to proceed under title II. Of course, all schools can proceed under the school-lunch program under title I. This provision of title II has to do with the furnishing of equipment to schools and the furnishing of training in the schools in connection with the handling of the school-lunch program.

Mr. BARKLEY. This section does not deal only with equipment, but it says:

In order to be approved a State plan for the administration of school-lunch programs must—

Mr. RUSSELL. That is title II. It has nothing whatever to do with the furnishing of food.

Mr. BARKLEY. But why does it mention school-lunch programs?

Mr. RUSSELL. Because it complements the program to furnish the food. Title II is to provide training for the technical personnel which will handle the program in the schools, as well as to assist in equipping them.

Mr. BARKLEY. Then it is the Senator's interpretation that the bill provides that schools which do not receive any distribution of State funds cannot in any way participate in the school-lunch program.

Mr. RUSSELL. No; the Senator is wholly in error.

Mr. BARKLEY. I am trying to draw the distinction.

Mr. RUSSELL. Any school, private or public, can participate in the school-lunch program as provided for in Title I, where the Federal Government contributes food or funds to assist in the purchase of food for supplying the school-lunch program. Title II has nothing to do with that.

Mr. BARKLEY. Title II is the one to which my attention has been drawn by letters which I have received.

Mr. RUSSELL. Title II does refer to the school-lunch program.

Mr. BARKLEY. Yes.

Mr. RUSSELL. But it refers to that part of the school-lunch program which deals with training the technical personnel and with assisting in the acquisition of equipment, rather than the furnishing of the lunches.

Mr. BARKLEY. So under title I, a private school could participate in the distribution of the lunch fund; could it?

Mr. RUSSELL. That is correct.

Mr. BARKLEY. But it could not participate in the distribution of equipment for the purpose of making the lunch fund practicable and making it possible to serve the lunches; is that correct?

Mr. RUSSELL. That is my construction of that provision.

Mr. BARKLEY. I should like to get that point clear, because I have received some letters protesting against this provision of title II.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. ELLENDER. The reason is that the lunch fund is dedicated to the children of the Nation, that is, the funds

are used to pay "for the cost of obtaining agricultural commodities and other foods for consumption by children in the school-lunch program"; whereas under title II whatever funds are appropriated are expended by the schools through the State agency in order "to establish, maintain, operate, and expand school-lunch programs to provide related nutrition education, and to provide and train technical and supervisory personnel and to provide equipment and facilities for such programs." That is the distinction which is made.

Mr. BARKLEY. That is no less for the benefit of the children. The equipment is just as much for their benefit as is the food itself.

Mr. ELLENDER. But it is against public policy to use Federal funds to pay teachers in private schools or to furnish equipment to private schools.

Mr. BARKLEY. That is true. But in my State they have adopted a practice of permitting the use of school busses, not only for children in public schools but for children in schools privately operated which are along the routes of the busses.

Mr. ELLENDER. But that is a service to the children themselves and the busses are publicly owned.

Mr. BARKLEY. Yes; that is true.

Mr. ELLENDER. I invite the Senator's attention to the case of Cochran and others against Louisiana State Board of Education and others, reported in United States Reports, volume 281, beginning at page 370, where the constitutionality of the Louisiana free schoolbook law was attacked by some of the taxpayers of my State. The law provided for the purchase and distribution of schoolbooks, free of cost, to the school children of the State. Some taxpayers contended that the legislation violated specific provisions of the constitution of the State and also section 4 of article IV and the fourteenth amendment of the Federal Constitution.

The United States Supreme Court held, in effect, with Chief Justice Hughes as the organ of the Court, that—

Appropriations by the State of money derived from taxation to the supplying of schoolbooks free for children in private as well as public schools is not objectionable under the fourteenth amendment as a taking of private property for private purposes where the books furnished for private schools are not granted to the schools themselves but only to or for the use of the children and are the same as those furnished for public schools and are not religious or sectarian in character.

That case makes a clear distinction in the use of public funds for the direct use of the children, in contrast to the use of public funds for the use of private institutions.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. KNOWLAND. I should like to address an inquiry to the distinguished Senator from Georgia relative to the section dealing with apportionment of the State funds. I merely wish to ask whether the apportionment is the same as that which is made under existing

law, or whether a change has been made. I call particular attention to subdivision (2), on page 3, reading as follows:

the need for assistance in the States as indicated by the relation of the per capita income in the United States to the per capita income in the State.

I wish to ask whether that section is to be found in the existing law. Subsection (1) of the paragraph says that the apportionment shall be made on the basis of the number of school children in the State who are between the ages of 5 and 17, inclusive; and there is also a second condition. I wonder whether the second condition is a part of the existing law.

Mr. RUSSELL. The present authorization for this program is contained in an appropriations act. It is my recollection that the language simply says that the funds shall be apportioned by the Secretary of Agriculture on the basis of need, and it stops there. It is my further information that the formula which has been applied by the Secretary of Agriculture is what is embodied within this bill.

Mr. KNOWLAND. I am somewhat concerned about a new doctrine which is creeping into some of the legislation. Apportionment of funds under this bill seems to be based on the number of school children in each State, and that is the same as the general apportionment system which we have in California, predicated on the basis of the average daily attendance. There is one set of circumstances there, namely, the total number of children. When we bring in the other factor, it seems to me that in a way the States which are perhaps more progressive and are spending more on their educational institutions, and so forth, not only will carry their own burden but will also carry an additional burden for the States which are not quite up to those standards. Perhaps it might furnish an additional reason to take an active interest in raising the minimum wages, for instance, in order to bring up their per capita income, because an additional factor is found there. I wish to find out whether this formula is provided for in the existing law.

Mr. RUSSELL. It is not written out, because we have no statutory law on the subject at the present time. But it is being applied in the distribution of these funds. I may say to the Senator from California that I am not familiar with the laws of his State, but I would be very much surprised if he did not have in his State an educational equalization fund which is provided by the legislature of his State, a fund in the nature of a State equalization fund for education. I do not know a thing about the laws of the State of California, but if California does not have something in the nature of a State equalization fund to help the weaker and poorer schools, I venture to say it is the only State in the Union which does not have one, for every other State with which I have any familiarity whatever has a State equalization fund in its educational system, to help the poorer schools in the more remote areas, where there are lesser tax values—unless

there is a State educational system paid for entirely by the State and with no control by local authorities.

Mr. MAYBANK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from South Carolina?

Mr. RUSSELL. I yield.

Mr. MAYBANK. Mr. President, I am glad to have an opportunity to say to the distinguished Senator from California that certainly in the Southern States the richer counties look out for the poorer counties by means of the State equalization fund. I wish to say that the only way to help the southern people is to raise the prices of agricultural products, so that those who work the land and till the soil will have an income commensurate with that had by the people of the richer States of the Union which are so highly industrialized, as is the distinguished Senator's State, of which we are so proud.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. TAFT. One thing which interests me is that in the matter of apportionment, weight is given to the income payments of each State, with the result, for instance, that the State of Alabama receives \$2,900,000 and the State of Ohio receives \$2,600,000. In various places I have agreed to that kind of allocation. But the State of Ohio is more than twice as large and has twice as many children. In connection with the Senator's theory, I do not quite see why such an allocation is correct. If, when we reach the ultimate goal, \$400,000,000 is being spent and if the Congress is appropriating \$100,000,000 and if it has to be matched by the States on a basis of 3 to 1, it seems to me the apportionment of the \$100,000,000 should be made in exact relation to the number of children who are being reached. Otherwise Ohio will have to match on the basis 8 to 1 or something of the sort, and the expenditure actually will be in the neighborhood of \$500,000,000, \$600,000,000, or \$700,000,000, if we add all the additional money that will have to be provided by the other States.

Mr. RUSSELL. Mr. President, there may be instances in legislation where the sole factor in connection with the distribution of Federal funds is the idea of per capita distribution, but none comes to my mind at the present time. We certainly have never done it with respect to the distribution of Federal highway funds. In that connection we have a rather involved formula which takes into consideration the size of the State, the population of the State, the rural population, and various kindred matters.

There have been times when I have seen my State, which happens to be the largest State east of the Mississippi River, receiving less than other States east of the Mississippi River were receiving, and I wondered why. It was due to the factors involved in making up the formula for distribution of the funds. I do not believe there is anything unfair or unjust in—

Mr. TAFT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. TAFT. I am now working on an aid-to-education bill, by which the State of Ohio would receive nothing. I do not object to the principle, but in this particular case I do not see how it would operate. The Senator is proposing that the whole matter be based on \$100,000,000 from the Federal Government and \$300,000,000 from the States, which will come almost entirely from the children themselves. When we once get to the point of covering the entire field, I do not see why the money should not be distributed in proportion to the number of children involved.

Mr. RUSSELL. Mr. President, since its inception this program has been based on need. If there is anyone in the world who believes that need can be met by a flat distribution on the basis of population in this country, I should like to hear his argument. There is only one way to get at the question of need. I refer to the ability to contribute to this fund on the part of those who put money into the funds which go to make up the matching quota which comes from the several States. This bill provides a formula to equalize opportunities between the children of the various sections of the country. No one should seek to deny a poor child in a poor State a lunch at school because both child and State are less able to pay than a wealthier child in a wealthy State.

Mr. TAFT. That might be a reason for Ohio contributing at a ratio of 6 to 1 in comparison to 3 to 1 in the South. It seems to me that the money should be related to the number of children involved.

Mr. RUSSELL. I do not think a program of this kind could be justified if it were not based on need. I do not think we could defend a flat distribution solely on population. I do not think it could be done with fairness. Under this bill, if any State does not utilize all its funds

which have been apportioned to it, the Secretary of Agriculture can distribute those funds among the States which require additional funds. But certainly a program of this kind, which is based on need, should take into consideration the ability of the children and the parents of the children, as well as the local subdivisions of government, to contribute to a school-lunch program. I realize that I am a special pleader in that kind of a situation because I happen to represent a poor State. I am reliably informed that my State taxes itself for education more in proportion to its capital wealth than does any other State in the Union, and yet in such States as Ohio and California the teachers receive more substantial compensation than do the teachers of my State.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as part of my remarks a table showing the apportionment of funds to States on a basis of \$100,000,000 under the provisions of Senate bill 9621.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Community school-lunch program—Apportionment of funds to States on basis of \$100,000,000 under provisions of S. 9621¹

Alabama	\$2,944,800
Arizona	381,600
Arkansas	2,253,600
California	2,037,600
Colorado	583,200
Connecticut	496,800
Delaware	86,400
District of Columbia	187,200
Florida	1,130,400
Georgia	2,793,600
Idaho	288,000
Illinois	2,772,000
Indiana	1,540,800
Iowa	1,231,200
Kansas	878,400
Kentucky	2,700,000
Louisiana	1,886,400
Maine	417,600
Maryland	756,000
Massachusetts	1,584,000
Michigan	2,145,600

Minnesota	\$1,483,200
Mississippi	2,880,000
Missouri	2,001,600
Montana	266,400
Nebraska	676,800
Nevada	43,200
New Hampshire	273,600
New Jersey	1,396,800
New Mexico	518,400
New York	3,895,200
North Carolina	3,650,400
North Dakota	374,400
Ohio	2,606,400
Oklahoma	1,742,400
Oregon	381,600
Pennsylvania	4,651,200
Rhode Island	237,600
South Carolina	2,167,200
South Dakota	403,200
Tennessee	2,599,200
Texas	4,399,200
Utah	331,200
Vermont	164,400
Virginia	1,771,200
Washington	590,400
West Virginia	1,692,000
Wisconsin	1,533,600
Wyoming	144,000

Total.....² 72,000,000

¹ Tentative. Subject to revision as later income and population information becomes available.

² Allows for deduction from total appropriation, according to the provisions of proposed legislation, as follows: (1) For direct apportionment to Alaska, Territory of Hawaii, Virgin Islands, and Puerto Rico, \$3,000,000; (2) for administrative expenses, not to exceed 4 percent of the total, and for purchase of commodities for direct distribution, \$25,000,000.

Mr. RUSSELL. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point as part of my remarks a table issued by the United States Department of Agriculture showing the participation in community school-lunch programs receiving USDA assistance and value of USDA contribution by States July 1, 1944, to June 30, 1945.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Participation in community school-lunch programs receiving USDA assistance and value of USDA contribution by States, July 1, 1944, to June 30, 1945

State	Programs receiving indemnity payments				Programs receiving direct distribution commodities			Total		
	Schools and child centers ¹	Children participating ¹	Meals served free daily ¹	USDA contribution	Schools and child care centers ¹	Children participating ¹	USDA contribution ²	Schools and child care centers ³	Children participating ³	USDA contribution ²
	Number	Number	Number		Number	Number		Number	Number	
Alabama	900	127,221	20,065	\$1,489,171	296	105,586	\$66,279	1,064	186,610	\$1,555,450
Arizona	137	25,692	2,284	301,130			6,871	137	25,692	308,001
Arkansas	617	78,428	10,252	904,516	570	96,687	151,438	737	115,138	1,055,954
California	979	150,728	9,997	1,691,935	5	2,000	53,715	984	152,753	1,745,650
Colorado	209	24,054	1,422	272,525	171	21,361	11,623	313	36,145	284,148
Connecticut	197	30,305	1,218	233,068	16	1,697	5,111	200	30,829	238,179
Delaware	75	11,627	1,218	150,593			10,741	75	11,627	161,334
District of Columbia	71	11,528	84	36,686				71	11,528	36,686
Florida	598	74,878	8,799	969,873	691	140,103	90,896	890	164,694	1,060,769
Georgia	1,243	173,799	25,793	2,103,673	2,033	331,723	461,689	2,118	342,379	2,565,362
Idaho	163	18,384	995	201,213				163	18,384	201,213
Illinois	1,565	316,689	21,315	2,437,528	195	100,452	67,135	1,572	336,020	2,504,663
Indiana	583	84,568	5,871	867,529	80	30,917	44,313	606	107,580	911,842
Iowa	543	61,264	4,320	580,948	40	6,299	2,504	548	63,459	583,452
Kansas	428	31,243	3,664	396,131	357	25,426	60,152	490	35,644	456,283
Kentucky	512	72,481	12,871	1,060,006	301	102,712	174,906	637	114,619	1,234,912
Louisiana	1,155	125,935	20,987	1,437,581	863	113,333	98,770	1,371	164,939	1,536,351
Maine	308	27,784	1,559	216,441	473	43,677	33,990	689	60,749	250,431
Maryland	233	35,056	6,526	273,164	895	193,062	32,233	1,103	225,100	305,397
Massachusetts	1,246	169,976	32,451	793,452	502	161,211	82,755	1,605	303,420	876,207
Michigan	1,018	190,072	9,163	1,494,170	136	34,486	30,029	1,025	205,015	1,524,199
Minnesota	946	117,682	13,512	902,007	498	151,260	58,545	1,072	225,556	960,552

Footnotes at end of table.

Participation in community school-lunch programs receiving USDA assistance and value of USDA contribution by States, July 1, 1944, to June 30, 1945—Continued

State	Programs receiving indemnity payments				Programs receiving direct distribution commodities			Total		
	Schools and child centers ¹	Children participating ¹	Meals served free daily ¹	USDA contribution	Schools and child care centers ¹	Children participating ¹	USDA contribution ²	Schools and child care centers ³	Children participating ³	USDA contribution ²
		Number	Number		Number	Number		Number	Number	
Mississippi.....	604	69,166	7,233	\$912,903	389	49,738	\$111,781	722	115,385	\$1,024,684
Missouri.....	879	91,375	11,452	975,337	307	64,087	71,442	905	114,693	1,046,779
Montana.....	106	9,747	1,933	115,169	10	2,604	3,951	116	12,351	119,120
Nebraska.....	294	28,836	2,369	192,281	21	4,850	1,949	301	32,284	194,230
Nevada.....	26	2,360	401	27,612				26	2,360	27,612
New Hampshire.....	200	16,722	901	83,880	148	20,454	9,329	313	32,484	93,209
New Jersey.....	850	95,476	7,837	803,528	203	30,144	127,482	952	107,678	931,010
New Mexico.....	197	18,275	4,507	188,533	158	35,024	45,695	292	41,313	234,228
New York.....	1,912	385,093	40,762	2,971,632	952	175,199	76,423	2,710	537,639	3,048,055
North Carolina.....	895	176,727	17,239	2,255,659	1,016	246,815	262,990	1,157	271,301	2,518,649
North Dakota.....	382	18,044	5,322	125,182	33	3,168	3,990	385	18,423	129,172
Ohio.....	937	159,756	13,238	1,714,944	531	91,538	30,084	1,193	207,123	1,745,028
Oklahoma.....	1,170	84,305	16,292	1,004,066	1,121	100,072	93,094	1,414	117,585	1,097,160
Oregon.....	275	32,834	3,631	338,812			11,423	275	32,834	350,235
Pennsylvania.....	1,004	119,667	10,863	925,798	89	30,648	14,902	1,023	138,932	940,700
Rhode Island.....	176	21,217	684	133,694	324	91,649	24,087	493	111,335	162,781
South Carolina.....	1,867	183,369	28,458	1,938,555	2,096	378,860	381,856	3,096	386,593	2,320,411
South Dakota.....	183	12,440	3,276	167,573	48	5,547	13,215	196	14,531	180,788
Tennessee.....	1,165	122,863	15,770	1,639,902	551	145,712	124,374	1,479	187,629	1,764,276
Texas.....	2,088	224,539	30,376	2,936,803	1,891	298,019	205,079	2,642	375,202	3,141,882
Utah.....	232	42,711	1,302	308,917			9,226	232	42,711	318,143
Vermont.....	117	8,734	1,869	70,039	198	25,067	8,786	289	30,906	78,825
Virginia.....	657	85,537	11,766	969,950	496	112,008	46,114	924	169,287	956,064
Washington.....	409	63,655	3,711	642,221	98	24,840	14,876	507	88,495	657,097
West Virginia.....	988	68,024	11,304	740,503	1,141	103,475	113,261	1,384	119,653	853,764
Wisconsin.....	958	105,095	8,958	709,797	2	150	3,144	960	105,245	712,941
Wyoming.....	95	9,124	679	110,637				95	9,124	110,637
Alaska.....	5	622	380	10,704				5	622	10,704
Hawaii.....	146	57,488	3,310	274,695	50	32,569	31,901	196	90,057	306,596
Caribbean area.....					1,728	203,787	2,412,235	1,728	203,787	2,412,235
Total.....	32,543	4,273,195	480,189	42,047,666	22,623	3,938,016	5,796,384	43,480	6,655,458	47,844,050

¹ Participation data are for April 1945 the month when total participation was at its peak.

² Includes indemnity payments and the value of direct distribution commodities.

³ Includes 11,558 schools with a participation of 1,547,655 children and 128 child-care centers with a participation of 8,098 who applied for and received both indemnity payments and direct donations of USDA commodities.

Mr. DONNELL. Mr. President, are amendments in order at this time?

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). The bill is before the Senate and open to amendment.

Mr. DONNELL. I send forward an amendment which I ask to have read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 2, line 10, after the word "appropriated", it is proposed to strike out the words "out of money in the Treasury not otherwise appropriated", and insert in lieu thereof "out of the fund established under section 207";

On page 11, line 21, after the word "appropriated", to strike out the words "out of any money in the Treasury not otherwise appropriated", and insert in lieu thereof "out of the fund established under section 207"; and

At the end of the bill insert a new section as follows:

SEC. 207. The Secretary of the Treasury is authorized and directed, beginning with the fiscal year ending June 30, 1947, to deposit for each year in a special fund in the Treasury of the United States proceeds of taxes, duties, imposts, or excises in an amount equal to the aggregate of the amounts authorized to be appropriated for such year under this act. Amounts deposited in such fund shall be available for expenditure only pursuant to appropriations made under authority of this act. Any amounts remaining in the fund after the expiration of the period for which such amounts are available for expenditure shall be covered into the general fund of the Treasury.

Mr. DONNELL. Mr. President, I shall consume but little time of the Senate in

discussing this amendment. It is based on the view which I presented rather extensively in connection with Senate bill 191 on December 10, 1945.

The view which I presented at that time is not entitled to be considered as an argument to the effect that this bill is itself unconstitutional without the inclusion of this amendment. I realize that this bill is, as was so clearly pointed out by the distinguished Senator from Alabama [Mr. HILL] last December with respect to Senate bill 191, merely an authorization bill. The same point may be made with respect to the ultimate appropriation bill. Nevertheless, Mr. President, I submit that the amendment which I have offered is an appropriate one, and that it should, in propriety, be adopted by the Senate to Senate bill 962.

The basis on which the amendment is presented is this: As could readily be determined from the line of inquiry which I addressed to the distinguished Senator from Georgia a few moments ago, there is no provision, so far as I know, in the Constitution of the United States under which an appropriation for the purposes sought in this bill can be made unless that provision be what is known as the general-welfare clause; namely, section 8 of article I of the Constitution of the United States. I made the point last December, with respect to Senate bill 191, that there is no general power conferred by the Constitution of the United States upon the Congress to enact legislation for the general welfare. The only power which exists in Congress to legislate along those lines, insofar as the general welfare is not included within the powers specifically subjoined after the first sentence of sec-

tion 8, lies, as I have indicated, in section 8 of article I of the Constitution.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. PEPPER. Does the Senator recognize that the Congress has the authority to appropriate money for the national defense, and to provide for the security of the Nation?

Mr. DONNELL. Mr. President, in answer to the distinguished Senator from Florida, I think there are specific provisions in the Constitution which either expressly or by necessary implication confer authority on the Congress to raise armies, to carry on war, and to provide for the common defense.

Mr. PEPPER. Mr. President, the able Senator has not answered the inquiry which I addressed to him. A little while ago we discovered that approximately four and a half million men who are eligible for selective service by age were ineligible to serve their country because of mental, physical, or moral deficiencies. If the school-lunch program is for the purpose of improving the health of the boys and girls of the Nation, would it not contribute to the provision for the common defense, which is one of the cardinal fundamentals for which the Constitution was ordained and established?

Mr. DONNELL. Mr. President, in reply to the distinguished Senator from Florida, as I understand the law the Congress of the United States has no power which is not expressly or by necessary implication conferred upon it. There are distinct provisions in the Constitution which relate to the common defense. There are provisions with respect to the

declaration of war, and to the carrying on of war, but there is no provision in the Constitution, as I am informed, which undertakes to authorize Congress generally to provide for the general welfare.

Mr. PEPPER. Will the Senator yield to me to ask one further question?

Mr. DONNELL. Certainly.

Mr. PEPPER. Does the Senator admit that the Congress has authority to legislate and to appropriate in aid of the national health?

Mr. DONNELL. I find nothing in the Constitution which authorizes such an appropriation, unless it be found in the portion of section 8 of article I which refers specifically to the general welfare.

Mr. BARKLEY. Will the Senator yield?

Mr. DONNELL. I shall yield in a moment. I do think there is power in the first clause of section 8 to cover the point to which the distinguished Senator from Florida refers. Nevertheless, if it be covered, it must be covered under and in compliance with the provisions of the first clause of section 8, and in a moment, after the distinguished Senator from Kentucky shall have addressed us, I shall be glad, if I may, to continue very briefly with my remarks.

Mr. BARKLEY. Mr. President, I merely wish to ask the Senator from Missouri under what provision of the Constitution Congress is specifically authorized to appropriate money out of the Treasury for relief in the case of great disasters, such as floods, fires, and earthquakes, as we have been doing for more than half a century. It might be difficult to find the specific provision in the Constitution which authorizes an appropriation to provide relief in cases of fire, or disasters such as floods and earthquakes, and other things, not only in the United States, but even in other countries. We have for more than half a century been appropriating money for those purposes without being required specifically to give by metes and bounds the limitations of the Constitution. Under what authority have we been doing that?

Mr. DONNELL. I know of no authority under which Congress can do it, notwithstanding the fact that it has been done; and I agree that it has been done. There is no provision in the Constitution of the United States to which, as I see it, attention could be called, authorizing an appropriation for relief in the case of floods or other disasters, save only under the general welfare clause. I think that there is adequate provision under the general welfare clause, provided the funds so used are derived solely from taxes, duties, imposts, and excises, to cover the situation to which the distinguished Senator from Kentucky refers.

Mr. WILLIS. Mr. President, will the Senator from Missouri yield?

Mr. DONNELL. I yield.

Mr. WILLIS. Is the Senator from Missouri conversant with the statement made by former President Grover Cleveland in vetoing a relief bill, that he could find nothing in the Constitution which permitted him to take the taxes of one group of people and give them to another?

Mr. DONNELL. I am not familiar with that reference, and I thank the

Senator from Indiana for advising me of it.

Mr. President, the point which I make is, not that Congress is without power to provide for the general welfare. I make no such point as that. My point is, in substance, merely that Congress has no power to provide for the general welfare unless it does so under the provisions and the limitations of the first clause of section 8 of article I of the Constitution of the United States. To my mind that section gives adequate power, and permits Congress, within the limits therein specified, to make appropriations of the type to which I refer.

Mr. President, I was saying a few moments ago that as I understand the law, the Congress of the United States has no power unless it is found either expressly or impliedly within the Constitution of the United States. The Federal Government is not a government of unlimited powers, it is a government of limited powers, and the Federal Government of itself possesses no power independently of the Constitution of the United States.

Indeed, Mr. President, so careful were the framers of the amendments to the Constitution to make sure that there should be no misunderstanding on this point that the tenth amendment provides expressly—

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Mr. President, what is it that has been delegated to the Congress to do in respect to provisions for the general welfare? As I have said, there is no provision in the Constitution which even mentions general welfare save the first clause of section 8 of article I. It may be suggested, as indeed it has been by notable individuals in the past, that the preamble of the Constitution of the United States, by the use of the term "general welfare," itself indicates that Congress is possessed of the power to legislate generally for the general welfare. But that has not been the view taken by lawyers or by courts. The Supreme Court of the United States, in 197 United States, at page 11, speaking through Mr. Justice Harlan, said, in the case of *Jacobson against Massachusetts*:

Although, therefore, one of the declared objects of the Constitution was to secure the blessings of liberty to all under the sovereign jurisdiction and authority of the United States, no power can be exerted to that end by the United States unless, apart from the preamble, it be found in some express delegation of power or in some power properly implied therefrom.

Story on the Constitution, volume 1, section 462, says this:

Although that preamble indicates the general purposes for which the people ordained and established the Constitution, it has never been regarded as the source of any substantive power conferred on the Government of the United States or on any of its departments.

So, Mr. President, as I see it, under the holdings of the courts, the highest court in our land, and under the views taken by eminent lawyers such as Mr. Justice Story, it is clearly proved that the preamble of the Constitution of the

United States does not confer upon Congress, or upon the Government itself, the general, unlimited power to which the distinguished Senator from Kentucky referred, to appropriate money generally for the general welfare, unless that authority can be found in the Constitution specifically or by necessary implication.

Mr. President, I have searched the Constitution. The distinguished Senator from Georgia declined a few minutes ago on three separate occasions to undertake to say under what clause of the Constitution an appropriation of this type is permissible.

I wish to make clear again, Mr. President, that I am not saying that this authorization bill is invalid because of the fact that it does not provide from which fund the appropriations ultimately shall be made. I do say, and I repeat, that it is appropriate to place in the bill a distinct statement, so that we may all know when we vote upon the bill, as to the funds from which these appropriations shall ultimately be made.

Mr. President, what is the provision of the Constitution of the United States with respect to the general welfare? Section 8 of article I, to which I have referred, reads, in part, as follows:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States.

It has been distinctly held by the Supreme Court of the United States in the *Butler* case, in 297 U. S., that:

The view that the clause grants power to provide for the general welfare independently of the taxing power has never been authoritatively accepted.

The Supreme Court of the United States in the *Butler* case, in Two Hundred and Ninety-seventh United States Reports, that:

The true construction undoubtedly is that the only thing granted is the power to tax for the purpose of providing funds for payment of the Nation's debts and making provision for the general welfare.

Mr. President, the amendment which I have proposed this afternoon undertakes to carry into effect the provisions of this article and section of the Constitution. It undertakes to set up a fund. I quote from my amendment:

The Secretary of the Treasury is authorized and directed, beginning with the fiscal year ending June 30, 1947, to deposit for each year in a special fund in the Treasury of the United States proceeds of taxes, duties, imposts, or excises in an amount equal to the aggregate of the amounts authorized to be appropriated for such year under this act. Amounts deposited in such fund shall be available for expenditure only pursuant to appropriations made under authority of this act. Any amounts remaining in the fund after the expiration of the period for which such amounts are available for expenditure shall be covered into the general fund of the Treasury.

So, Mr. President, the amendment and the subordinate, ancillary portions of the amendment, which I have offered, carry into effect this provision of the Constitution of the United States. It enables Congress to authorize the appropriation of funds for general welfare, but solely from the specific portions of the revenues

of our country which are recognized in section 8 of article 1 as the only sources from which appropriations for general welfare may be made, namely, taxes, duties, imposts, and excises.

Mr. President, I shall not press this point more extendedly. I went into it fully last December, and my views are set forth at pages 11906 and following of the CONGRESSIONAL RECORD, in the proceedings of the United States Senate of that date.

I desire to say, however, that this is not merely a technical captious point. In the first place, the appropriation, if it shall ultimately be made in pursuance to this authorization bill, cannot, as I see it, under the Constitution of the United States, be validly made unless that appropriation is limited to a fund derived from taxes, duties, imposts, and excises.

In the second place, Mr. President, there is sound reason why appropriations should not be made for the general welfare unless, as I have indicated, the objective sought to be attained is included in the specific powers subjoined under the welfare clause. There is good reason, I say, why such an appropriation for general welfare should not be made from sources other than taxes, duties, imposts, and excises, and that reason, Mr. President, is the fact that it is very wholesome indeed that this Nation should confine itself, so far as is possible, to its revenues for the objects of its expenditures.

I realize that in time of war, in time of great public disaster, there may be occasions when the Federal Government necessarily must resort to tremendous issues of bonds, as it has done, when it must increase the national debt, as it has done, until it is now, as I recall, approximately \$280,000,000,000. There is adequate constitutional authority to increase the national debt for the defense of our country, for the maintenance of armies, and for the prosecution of wars; but, Mr. President, when in time of peace we come to consider subjects such as the school-lunch program—and I want to say that I have no opposition to the purpose of this bill; I am for a proper school-lunch bill, and think it is a good thing—it is very easy, unless the Congress of the United States shall recognize the limitations of its powers, to expend \$400,000,000 here, \$500,000,000 there, \$2,000,000,000 some place else, and \$500,000,000 in some other direction. And, Mr. President, how can it be done? Only by deficit financing.

I say that the time has come when the Congress of the United States should have brought back to it the realization that just as in the case of an individual, it behooves our Nation to confine itself within its revenues. This amendment of mine does not mean that every dollar that is paid out in school-lunch funds shall be derived in the same year in which it is paid out, from taxes, duties, imposts, or excises. There is a provision in the amendment, as I have indicated, for the setting up of the fund, and a provision for the return into the Treasury of moneys unexpended. But, Mr. President, my amendment undertakes to make Congress mindful of the fact that in these vast extensions of

United States Federal Government functions we should confine ourselves within the limits of the Constitution of the United States, so that we shall not go into the ramifications and tremendous possibilities of deficit financing for the carrying on of projects which we have no power to carry on same only under the so-called general welfare clause.

So, Mr. President, first on the ground that ultimately an appropriation cannot be validly made by the Congress for the purposes embraced by this measure unless the appropriation shall be limited to funds derived from the taxes, duties, imposts and excises; and, second, on the ground of sound public policy—sound public policy which would direct us to habits of industry and frugality and a policy of pay-as-you-go—I submit that my amendment should be adopted. We should not carry on, to an unlimited extent, all these vast projects of governmental expenditures by deficit financing.

Mr. President, I do not desire to consume longer the time of the Senate. I realize that the Senate passed upon this matter in connection with S. 191, but I deem it my privilege at this time to present again the point, and I urge at this time the adoption of the amendments which I have proposed, and which with my consent and with that of the Senate may be treated as one amendment, for the purpose which I have attempted to indicate.

Mr. ELLENDER. Mr. President, has the Senator any idea how much, by way of taxes, is obtained each year from the sources he has just specified?

Mr. DONNELL. I do not, Mr. President.

Mr. ELLENDER. If the Senator's amendment should be adopted would it not sound the death knell to this bill?

Mr. DONNELL. Mr. President, I do not know the effect. My judgment is that there are ample funds flowing into the Treasury from taxes, including income taxes, duties, imposts, and excises, to pay for a vast number of public enterprises of one kind or another. But, if it is indeed true that under existing revenue laws there is not sufficient money coming in from these sources, that in itself is a strong warning to our country to begin to haul in our sails and to prepare ourselves so that we will not engage year after year in deficit financing. If there is not sufficient money coming in by way of revenue, if sufficient money cannot be raised by revenue, then we had better know that fact.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Missouri that his amendments shall be acted on en bloc? The Chair hears none, and it is so ordered.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Bilbo	Butler
Austin	Brewster	Byrd
Bailey	Bridges	Capper
Ball	Briggs	Carville
Bankhead	Buck	Chavez
Barkley	Bushfield	Cordon

Donnell	McCarran	Saltonstall
Ellender	McClellan	Shipstead
Ferguson	McFarland	Smith
Fulbright	McKellar	Stanfill
George	McMahon	Stewart
Gerry	Magnuson	Taft
Gossett	Maybank	Thomas, Okla.
Green	Mead	Thomas, Utah
Guffey	Millikin	Tobey
Gurney	Mitchell	Tunnell
Hart	Moore	Tydings
Hatch	Morae	Vandenberg
Hayden	Murdock	Walsh
Hickenlooper	Myers	Whceler
Hill	O'Mahoney	Wherry
Hocoy	Overton	White
Huffman	Pepper	Wiley
Johnson, Colo.	Radcliffe	Willis
Johnston, S. C.	Reed	Wilson
Knowland	Revercomb	Young
La Follette	Robertson	
Lucas	Russell	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from California [Mr. DOWNEY], the Senator from Mississippi [Mr. EASTLAND], the Senator from West Virginia [Mr. KILGORE], and the Senator from Texas [Mr. O'DANIEL] are detained on public business.

The Senator from Montana [Mr. MURRAY], and the Senator from Idaho [Mr. TAYLOR] are absent on official business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States to the General Assembly of the United Nations.

Mr. WHERRY. The Senator from Illinois [Mr. BROOKS] is recovering from a recent operation.

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate on official business of the Small Business Committee, of which he is a member.

The Senator from New Jersey [Mr. HAWKES] is necessarily absent.

The PRESIDENT pro tempore. Eighty-two Senators have answered to their names. A quorum is present.

Mr. DONNELL. Mr. President—

Mr. BARKLEY. Mr. President—

Mr. DONNELL. I yield to the Senator from Kentucky.

Mr. BARKLEY. I wish the floor in my own right. I thought the Senator had yielded the floor.

Mr. DONNELL. No. Let me say to the Senator from Kentucky that in view of the fact that so few Senators were present when the amendments were offered that I thought I should make a brief statement. However, if the Senator wishes the floor, I shall yield to him.

Mr. BARKLEY. No; I thought the Senator had finished.

Mr. DONNELL. I had finished, except for the quorum call.

Mr. BARKLEY. I hope it will not be necessary to have another quorum call after the Senator finishes this time.

Mr. DONNELL. I hope not.

Mr. President, the occasion for the vote which is about to be taken is the presentation of an amendment to Senate bill 962. A few moments ago I stated to Senators who were present in the Chamber the view on which the proposed amendment is based. I ask the indulgence of the Senate for a few minutes, in view of the fact that a very con-

siderable number of Senators are now present who were not present at that time, to state the basis on which the amendment depends.

The bill is entitled: "A bill to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes."

The distinguished Senator from Georgia [Mr. RUSSELL], when on his feet earlier this afternoon, was interrogated by me as to the specific provision of the Constitution of the United States on which the bill depends. I should more correctly have asked upon which an appropriation made pursuant to the bill would depend.

Mr. President, I have offered three amendments, but they are all designed for the same purpose and may be considered together. They are as follows:

On page 2, lines 10 and 11, to strike out the words "out of money in the Treasury not otherwise appropriated" and insert in lieu thereof the words "out of the fund established under section 207."

A similar amendment is proposed on page 11, lines 21 and 22.

At the end of the bill I propose to insert a new section, to read as follows:

SEC. 207. The Secretary of the Treasury is authorized and directed, beginning with the fiscal year ending June 30, 1947, to deposit for each year in a special fund in the Treasury of the United States proceeds of taxes, duties, imposts, or excises in an amount equal to the aggregate of the amounts authorized to be appropriated for such year under this act. Amounts deposited in such fund shall be available for expenditure only pursuant to appropriations made under authority of this act. Any amounts remaining in the fund after the expiration of the period for which such amounts are available for expenditure shall be covered into the general fund of the Treasury.

Mr. President, the theory of this amendment is that the only possible basis on which the bill can depend is that it involves a contribution to the general welfare of the United States. If that be true, if that is the only basis upon which the bill can depend, the only authority for the appropriation which would ultimately be made is that contained in section 8 of article I of the Constitution of the United States, which reads, in part, as follows:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States.

The proposition to which I address myself is that the Government of the United States being one of limited powers, and the Congress of the United States being a body of that government of limited powers, there is no power to legislate generally for the general welfare of the United States, save only as that power is derived from section 8 of article I, from which I have read an excerpt. There are certain specific powers leading, of course, to the general welfare, which are subjoined in section 8 below the portion to which I have referred. Congress has power for illustration, to establish post offices and post roads. The mere fact that that contributes to the general welfare of the United States does not

deprive the Congress of the United States of the right to establish such offices or roads, but as I have indicated, the power so to do is derived from an express provision contained in so many words subjoined below that portion of section 8 which I have read in exact words.

Mr. President, if the pending measure is based upon the proposition that it provides for the general welfare of the United States, there is no provision in the Constitution which even mentions the general welfare, save only the first clause of section 8 of article I, to which I have referred.

I pointed out earlier this afternoon that although the expression "general welfare" appears in the preamble to the Constitution, it has been held from time to time, and is uniformly admitted by both the courts and by distinguished writers, that the preamble carries no legislative power whatsoever and grants no legislative power.

I wish to read one sentence which I mentioned a while ago, from Story on the Constitution, volume 1, section 462. The learned justice said:

Although that preamble indicates the general purposes for which the people ordained and established the Constitution, it has never been regarded as the source of any substantive power conferred on the Government of the United States or on any of its departments.

So, Mr. President, we come to section 8 of article I of the Constitution as the sole basis on which an ultimate appropriation for this school-lunch program can be made. I wish to say in passing, so that there may be no doubt about this matter, that I am not opposed to a school-lunch program. I think it is entirely possible to carry into effect the beneficence of such a program and to do so entirely in accordance with the provisions of the Constitution of the United States, but when we adopt legislation later on to make the necessary appropriation I think we must bring ourselves within the provisions of section 8 of article I to which I have referred.

Mr. President, the language I have read from section 8 clearly, as has been determined by the courts more than once, does not grant a separate power to provide for the general welfare of the United States. The Supreme Court, speaking in the Butler case in 1935, said:

The view that the clause grants power to provide for the general welfare independently of the taxing power has never been authoritatively accepted.

The Court further said in the same case:

The true construction undoubtedly is that the only thing granted is the power to tax for the purpose of providing funds for payment of the Nation's debts and making provision for the general welfare.

So, Mr. President, we are confronted by the fact that Congress is without power to make a general appropriation for general welfare, save only under the provisions of section 8 of article I which limit the sources from which the expenditures may be made, stating that they may be made only from taxes, duties, imposts, and excises.

The purpose of the amendment I have offered is to accomplish that very thing. A little while ago the distinguished Senator from Louisiana asked whether I knew of the amount of money that it is estimated will come into the Treasury at the current time, I take it, he meant by way of taxes, duties, imposts, and excises. I was unable to answer his question at the moment, although I recall that the distinguished Senator from Alabama [Mr. HILL], speaking last December, very kindly gave us figures which in the interim this afternoon I have located. The distinguished Senator from Alabama pointed out that the estimated receipts from income taxes, excise taxes, and customs duties for the year 1946 are \$37,868,430,000, that the estimated receipts for the last year—1945—were \$41,932,890,000, and that for 1944, the actual figures for receipts from those specific sources, which are the sources referred to in section 8 of article I of the Constitution, were \$40,377,143,079.

So, Mr. President, the amendment to which I have referred, and which I have offered this afternoon, does not undertake to limit the expenditure of these funds to a minute, infinitesimal fund which may be found in some corner of the Treasury. There will be on hand, according to this estimate, thirty-seven-billion - eight - hundred-and-some-odd-million dollars, which will be available from the sources of taxes, duties, imposts, and excises.

Mr. President, my proposition is not based on a mere technicality. In the first place, I am one of those who believe that the observance of the Constitution of the United States is in itself not a mere technicality. I take it that the Congress of the United States, including all Senators, are bound by obligations to support and maintain the Constitution. While there may be differences of opinion as to what the Constitution may mean or what may have been in the minds of those who drafted it, nevertheless, agreeing—if we do—that this is the only provision which authorizes the expenditure of funds for general welfare purposes, I undertake to say that it is our duty under the Constitution, and not as a matter of a mere technical obligation on our part, to see to it that the appropriations for these purposes shall be held closely within the limit of taxes, duties, imposts, and excises, which are the only sources of funds under section 8 of article I of the Constitution from which a general appropriation of funds for the general welfare can be made.

Earlier this afternoon the distinguished Senator from Kentucky [Mr. BARKLEY], the majority leader, inquired as to the source of authority for paying moneys for relief in the event of a great disaster of some kind. I undertake to say that the same principle to which I have adverted this afternoon applies in such cases, and the mere fact that in the past the Congress may not have followed the provisions of the Constitution by limiting the appropriations to funds coming from the sources mentioned in section 8 of article I does not mean that we have the right to disregard that provision of the Constitution.

Mr. President, not because this bill, which is a mere authorization bill, will be unconstitutional without the inclusion of the amendment which I have caused to be prepared, but because the ultimate appropriation must be confined to an appropriation of funds coming from the sources I have mentioned, I submit that it is within the bounds of propriety that we should include within the bill itself a distinct provision showing the intent to pay those moneys from those sources exclusively.

The second point I have made this afternoon—and I repeat it now—is that, not merely from the standpoint of constitutional law, not merely from the fact that we are a body having limited powers, not merely from the fact that we have no authority to make any general provision for general welfare unless the funds shall be paid from taxes, duties, imposts, and excises, but from the standpoint of sound public policy it behooves us to see to it that we shall confine expenditures of this type within constitutional limits. I say that for the reason that we have seen the necessity in our country, very largely because of the great war in which we have been engaged, of having our debt mount to approximately \$280,000,000,000, as I believe it now is. We have seen that done. We have seen it done, I take it, in large part by constitutional means, in the preservation of our Nation in prosecuting the war.

But when in time of peace hospital bills, school bills, school-lunch bills, and many other bills which have beneficent purposes are brought before us, in the first place it behooves us to see to it that we shall not indefinitely finance operations of this kind by means of deficit financing, by the expenditure of moneys derived from the sale of bonds, by the indefinite expansion of our credit, not only creating inflation, but ultimately bringing about disaster, to our country, unless we call a halt to it.

So Mr. President, in offering my amendments I say that they are based, first, upon sound constitutional principles, as I view them. Secondly, they are based upon the equally sound financial proposition that we in the Senate should see to it that the funds to be provided for purposes of this kind shall not be derived from deficit financing, but shall be taken from the only sources from which, under the Constitution of the United States, such moneys may be legitimately paid.

So, Mr. President, I have presented my amendment—in fact, three amendments, which I have indicated may be treated as one—and I thank the Senate for its attention to this further statement of my position.

The PRESIDENT pro tempore. The question is on agreeing to the three amendments offered by the Senator from Missouri [Mr. DONNELL], which are to be considered en bloc:

Mr. BARKLEY. Mr. President, I do not wish to detain the Senate for more than a few minutes, and I do not wish to engage in an extended argument relative to the question presented by the Senator from Missouri. To my mind, it would be almost incredible that the Senate should adopt the amendment pro-

posed to the bill by the Senator from Missouri. In the first place, it is unnecessary, even in compliance with the Constitution as interpreted by the Senator from Missouri. In the next place, it has never been adopted as a policy of Congress, when appropriations of this kind are authorized or even made, that the Congress should set up in the Treasury a special fund for the purpose of consummating the authority or the appropriation.

I wish to refer to section 8 of article I of the Constitution merely by way of interpretation, even under the narrow and restricted interpretation given to it by the Senator from Missouri. Section 8 enumerates the powers of Congress. Among those powers is the power to borrow money on the credit of the United States. That is all it says on the subject. It does not say for what purposes money may be borrowed, but we may assume that the Congress has authority to borrow money on the credit of the United States for any purpose for which it has authority to appropriate money. But the language of the Constitution is without limit or restriction as to the purposes for which money may be borrowed.

If we may paraphrase the first paragraph of section 8 of article I of the Constitution, which I think is not inappropriate, in order to find out what it means, we might read it this way—skipping the part about paying the debts:

Congress shall have power to lay and collect taxes, duties, imposts, and excises for the purpose of providing for the common defense and for the purpose of providing for the general welfare of the United States.

Then it goes on to provide that all taxes, and so forth, shall be uniform.

The Congress is authorized, by that first paragraph of section 8 of article I, to provide for the common defense of the United States; that is to say, the Congress can raise an Army and a Navy and can indulge in whatever expenditures may be necessary in order to provide for the common defense of the United States.

In order to pay for those expenditures for the common defense we are authorized to lay and collect taxes. Those two clauses are not joined together like the Siamese twins. Not only has Congress the power to provide for the common defense of the United States, but to provide for the general welfare of the United States, and in consequence of that power, to lay and collect taxes for those purposes, and also to pay any debts which may be incurred.

The language does not say that Congress must set aside a special fund in the Treasury out of taxes, imposts, and excises for any particular purposes. There is no requirement that a special fund must be set aside in the Treasury out of anything which the Government collects in the way of taxes, or anything else, to perform a particular function for which Congress may provide. If, under the Constitution, we are required to set aside a special fund out of taxes in order to provide for the general welfare, and the Senator from Missouri admits that we have a right to provide for the general welfare, then we are likewise required to

set aside a special fund in the Treasury to provide for the common defense.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. BARKLEY. I shall yield in a moment.

Mr. President, no one has ever contended that we should do that, and it has never been done. No one ever raised the question of the propriety of not doing it for the common defense of the United States and under section 8, paragraph 1, the common defense, the general welfare, and the payment of public debts are all put on an equal basis, and with equal authority. There is no distinction to be drawn between them.

I now yield to the Senator from Missouri.

Mr. DONNELL. Mr. President, does not the Senator from Kentucky believe that in the case of common defense there is a special provision further down in the constitutional provision to which he has referred, giving Congress first the power to declare war, second, the power to raise and support armies, and third, the power to provide and maintain a navy? Those distinct provisions are in the Constitution.

Mr. BARKLEY. Oh, yes; they are there, but they are only in amplification of the provision in the first paragraph of section 8 providing for the common defense. The common defense may be provided for by an army or by a navy; those are particularizations of the manner in which we may provide for the common defense.

Mr. DONNELL. Under the first clause of section 8 of article I, it is true that Congress shall have the power to lay and collect taxes, duties, imposts, and excises, to pay debts, and provide for the common defense and general welfare of the United States. However, is it not also true that the only provision in the Constitution with respect to the general welfare is that in the sentence which I have just read, whereas the power to lay and collect taxes, and thus provide for armies, and thus provide for the common defense, and thus provide for and maintain a navy, are created by express powers? Consequently, of course, Congress would have the power, under this language, to lay and collect taxes, duties, imposts, and excises, and so forth, but there is no provision in the Constitution which mentions the words "general welfare," except as may be declared by one of the courts. I read the following language from Professor Rottschaefer, of the University of Minnesota. He cites the Butler case, and then continues:

It is merely a specification of one of the purposes for which Congress may lay and collect taxes and for which it may appropriate the moneys raised by taxation, and constitutes a limitation thereon.

Mr. BARKLEY. Mr. President, I contend that if there were no further reference later on in section 8 about raising an army, or providing for a navy under the provisions of paragraph 1 authorizing Congress to provide for the common defense, we could raise an army as large as we wanted, or raise a navy as great as we wanted, because when Congress is authorized to provide for the common defense it is authorized to do whatever is

necessary to provide for the common defense, and even if it were not mentioned in later language, we could raise an army and provide for a navy or do anything else necessary to provide for the common defense. Therefore, those later references are only amplifying provisions in the first paragraph of section 8, article I of the Constitution.

Mr. DONNELL. Why was it necessary or advisable to set forth distinct and specific provisions authorizing the Congress to declare war, raise and support armies, and provide for the maintenance of navies?

Mr. BARKLEY. Of course, the Senator knows that in writing language, its authors who are anxious that there may be no misunderstanding sometimes amplify and particularize. But the fact that they incorporate a specific provision authorizing the Congress to provide an Army or Navy does not in any way take away from the first paragraph of the section the power which Congress would have to provide for the common defense in any way it might see fit to do so, even if the language specifically empowering them were not present.

Mr. President, I promised that I would not go into a constitutional argument, and I shall not do so. I hope the amendment will be defeated because it is not necessary. The Constitution does not require it. If, when we undertake to provide lunches for children who cannot otherwise provide for themselves proper nutrition, we adopt amendments such as the one now proposed, we will establish a precedent which will plague us for days to come, because appropriations for the general welfare, or the common defense, or for the payment of debts would require that we set aside a fund for that purpose. I hope the amendment will be defeated.

The PRESIDENT pro tempore. The time having arrived to vote on the three amendments en bloc, the question is on agreeing to the amendments offered by the Senator from Missouri [Mr. DONNELL].

The amendments were rejected.

The PRESIDENT pro tempore. The bill is still before the Senate and open to amendment.

Mr. TAFT. Mr. President, I offer an amendment on page 2, line 12, after the word "exceeding", to strike out \$100,000,000 and insert "\$57,500,000."

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Ohio.

Mr. TAFT. Mr. President, I have listened with interest to the argument of the Senator from Missouri [Mr. DONNELL] and to the argument of the Senator from Kentucky [Mr. BARKLEY]. I believe that we have a gage, long established in the general practice of State-aid programs by which the Federal Government assists the States, which makes it too late to question the possibility or the constitutionality of this particular program. I do not see any advantage of fixing our bookkeeping, so to speak, so that these appropriations will be paid out of taxes, and we will borrow money for some other constitutional programs which are directly authorized by the Constitution. If we could, by that

means, eliminate all deficits, there would be very much to be said in its favor. I believe, however, as the Senator from Missouri has pointed out, that there is no express constitutional authority for these State-aid programs, but we have gradually drifted into them. In all of them the Federal Government is assuming to put up Federal taxes for functions which are primarily those of the States, and localities concerned. Theirs is the primary responsibility, under the Constitution, for education. Theirs is the primary responsibility for help. Theirs is the primary responsibility for housing, and for all the social welfare activities in which Government today is engaged.

The question which has concerned me for a number of years is, What is the justification for, and under what circumstances should the Federal Government interest itself in helping the States to do the things which they are authorized to do and, under the Constitution, are primarily responsible for doing?

I think it may be said that the Federal Government is interested in all matters, but that its obligation is secondary, and it has the right to help the State when it is necessary to do so. I believe, however, there are certain conditions which should be attached to any assistance to be given the States. In the first place, I think we should make fairly certain that the States cannot do the work themselves. If they can do it, I think theirs is the responsibility for doing it.

Today the States and local governments raise approximately \$10,000,000,000 annually for the purpose of paying their expenses. Their power to tax is limited. It is limited not so much by law or by actual circumstances. When the Government gets to a point where it is taking 25 percent of the national income, the large sources of taxation must be personal and corporation income.

No State can very effectively reach those incomes, because if the taxes of a given State become very much higher than those of other States, the people with the large incomes leave that State and go elsewhere, to Florida, perhaps, where there is no tax on incomes. If one State taxes corporations at rates higher than other States do, they are likely to build their next plant on the other side of the State line. We had that situation very clearly before us in Ohio and Pennsylvania when there was question as to where new steel plants were to be built. So there is a practical limit on the States' ability to tax and to raise money.

As the activities we are considering become of more importance, the only practical way in which they can be handled is by some Federal assistance. There are various matters in which the States are not able to go further. We had the most typical example in the relief situation, and we might have it again. A vast amount of unemployment creates conditions which the States are unable to handle. The States always have been responsible for poor relief and relief of all kinds, but the burden was so much greater than they could possibly meet that the Federal Government stepped in and helped them. In other fields we see

the same thing, particularly in fields where a State has never operated. There is difficulty in the State increasing its revenues.

I opposed in part the program of Federal aid to general education, because State systems are generally tuned up to the support of education and payment for education. That is one thing the State tax systems have been built up to take care of, to a large extent, perhaps not completely, but nevertheless more so than as to other matters.

In health programs the States have not been very much accustomed to spending State and local money in such volume as is required for a complete health program. They have never spent much money on housing. So that there are fields in which the States cannot very well expand without upsetting existing services in which they are primarily interested.

The first requirement of any program is, I think, that we must be fairly sure that the State cannot carry it on. I have some doubt about this lunch program on that ground. The amount involved is not large. If the bill provided for \$100,000,000, the State of Ohio would get only \$2,600,000, and we are spending more than \$100,000,000 on education. It would not be very difficult to squeeze out a little more money for school lunches. Yet, of course, it is true that the States never have spent money on school lunches, and are not spending any today. There may be some justification, therefore, for going into that field.

In connection with these matters the primary interest of the Federal Government must be in helping those who cannot help themselves, that is, not in helping everyone in the States, but helping those who do not have enough income to help themselves. Personally, I believe we should take an interest in seeing that the States provide a floor under subsistence, under housing, and under health. Education is already provided for to a large extent. It seems to me there is another requirement, however, that is, if we are to help the States, they will have to take an interest. They should take the initiative in the proposition. They should put up some money. So far as I can see, under the bill the States are not to do a great deal.

In connection with the housing bill the distinguished Senator from Louisiana [Mr. ELLENDER] has insisted that if any community wants a low-rent housing project for the poor people of the State, the State and the governing body of the locality affected shall take the initiative. Of course, under the housing bill they must put up, in the form of tax exemption or otherwise, at least 20 percent of the total money which is expended. The State must have the administration, or we will have Federal bureaus all over the country. It seems to me obvious that the State must put up some money, it must show it does take an interest by putting up money, it must take the initiative, and it must have the administration of the program.

By that test I am also rather doubtful about the bill, because under the plan described by the distinguished Senator

from Georgia [Mr. RUSSELL] it is not clear that the States or localities are going to put up a cent to match the Federal money. They are supposed to put up \$1, and later \$3, for every dollar of Federal money, but the statement is that each dollar should be matched "during such year by \$1 from sources within the State determined by the Secretary to have been expended in connection with the school-lunch program under this title."

The Senator from Georgia says the bill is intended to include the money school children pay for their own lunches, so that most of the matching that is done comes from school children or their parents. It does not come from the State; it does not come from the local school district. In some States local school districts do not put up a penny. In some places they do. I imagine that if they get up to a 3-to-1 matching basis, they will have to put up some money, but there is no real evidence of that fact.

Mr. President, there is one other requirement, namely, that the total amount of money expended by the Federal Government in helping the States should not be so great as to cause a deficit to be incurred by the Federal Government or reach such a figure as to impose an excessive tax burden on the citizens of the country. We have to remember that if the States cannot raise the taxes, cannot devise a taxing system to pay for these activities, it has been 15 years since the Federal Government has been able to devise a tax system under Federal law by which it can pay the expenses of the Federal Government. We hope we are coming to a day when that condition will not exist, but it is not at all certain that practical limitations on the Federal Government are not such as to make it impossible to spend the amount of money we seem to be planning to spend.

The next consideration is that when we approach State-aid programs we have to approach them with a view of making them as limited as possible, not spending more than we have to spend. I think we should have found out long ago what the fields are with which we are going to deal. There are bills in the Senate, in different committees, calling for the Government to pay three or four billion dollars a year for State aid under various projects. I do not consider that that can possibly be done. Under the absolutely essential requirements of the Government, our expenditures will be fairly close to the amount of money raised under the present tax system, and I have not seen how we could add three or four billion dollars of Federal expenditure in aid to States and hope to hold the tax system to figures which will not be so burdensome as absolutely to destroy the very industries from which the taxes must ultimately come.

Mr. President, I think the most important field of all with which we are concerned is health. I think that before we get through the Federal Government will have to appropriate a considerable amount for aid to the States in health programs. I think we are going to have to do something to help the situ-

ation in those States which are unable to provide proper education for their children. I think particularly the situation with the colored children in the South is one with which the Federal Government will have to concern itself. I believe very strongly we should concern ourselves with housing.

It seems to me that the hundred million dollars provided in the pending bill is out of all proportion to the rest of the program. As I see it, we cannot afford to spend more than half a billion to a billion, as little more than half a billion as possible, in these new State-aid programs, and it appears to me that \$100,000,000 for this particular program is entirely out of proportion to the total scale of spending for State-aid programs which apparently are to come before us.

The whole housing program, covered in the bill introduced by the distinguished Senator from New York [Mr. WAGNER], the Senator from Louisiana [Mr. ELLENDER], and myself will cost the Federal Government, I estimate, less than \$150,000,000 a year, and certainly the housing of the poor people of this country is of much greater importance than providing lunches for the school children. After all, that really is part of a general health program. If it may be justified at all, it can be justified as part of a general health program, and it is only one feature of a general health program.

We are concerned about the health of children; we are concerned about the health of adults; we are concerned about adequate hospital service. When the hospital bill was before the Senate, the total appropriation was \$100,000,000, and we cut it down to \$75,000,000 merely because we could not foresee what the total program was going to be. We have various extensions of the Public Health Service. There are all sorts of public-health activities for which the Surgeon General estimates a requirement of \$700,000,000 a year. I think we can provide for them for two or three hundred million dollars, and I do not mind including in that something for school lunches, as part of a general health program. But I think the hundred million dollars in the bill before us is out of all proportion to the other matters which the Congress is going to be called upon to do.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. RUSSELL. The Senator says he can appreciate the fact that the school-lunch program is a part of the health program. I am sure he will also agree that it assists in the general educational program, because a child that has a good lunch naturally is more receptive to teaching than one that has not.

Mr. TAFT. I think the relation to education is rather remote. I think it really must be justified on the ground of its relation to the health program.

Mr. RUSSELL. I shall not argue that, but I want to point out to the Senator that if his amendment were to prevail, not only would he freeze the present school-lunch program where it is in the States, but the funds he would allow

would not even be sufficient to carry on the present program.

The Senate has already on another occasion in a deficiency bill adopted an amendment increasing the appropriation by \$15,000,000. It was clearly demonstrated that amount would be necessary to carry on the program in the schools where it already is operating at the present time. And certainly it would seem to me unfair to discriminate against schools which have not heretofore gone into the program, by forbidding any expansion in the future. Now under the accelerated State contribution required by the bill and the \$100,000,000 authorization we can soon reach all the schools. But if the amendment offered by the Senator were to prevail, those who have been awaiting enactment of statutory authority and who are anxious to have the school-lunch program, would be absolutely denied any Federal aid whatever.

Mr. TAFT. Let me suggest a way in which they can get the money. Today there is not a State in the Union that is putting up any State money, so far as I know, for a school-lunch program.

Mr. RUSSELL. The Senator is absolutely in error in making that statement. I did not correct him a few minutes ago when he made a similar statement. There are, however, a number of States which make a specific appropriation for that purpose. My own State makes a modest appropriation for that purpose. We make a specific expenditure out of State funds in each year. I know there are other States that make specific appropriations for that purpose. They are compelled to defray all the cost of supervision and administration within the State, and some of the States make additional appropriations for the purpose of the lunch program generally.

The Senator has stated, I think, in broad outlines a very fine formula for State grants in aid, but I cannot for the life of me see why he should want to circumscribe a philosophy of expansion such as this bill provides, by defeating an increase of funds from other than Federal sources.

Mr. President, it seems to me that we ought not to quibble so much over the relatively small amounts of money involved. The Congress of the United States, without batting an eye, appropriated \$2,700,000,000 for UNRRA. That money goes overseas. There is nothing about UNRRA in the Constitution, I might say to my friend the Senator from Missouri, who said that there was nothing about school lunch spelled out in the Constitution; and therefore I say to him that there is nothing in the Constitution of the United States about UNRRA. Congress voted \$2,700,000,000 for UNRRA. That amount of money would finance this whole program for 27 years, and if we were to add the interest that would accumulate over the 27-year period it would doubtless be sufficient to finance the program for 40 years. The appropriation for UNRRA was made without a record vote, or even an extended discussion. Yet we split hairs on

such a matter as that which is now before us to help our own children.

Mr. TAFT. Mr. President, let me say that if we were to accept that particular argument it would make it impossible for us to oppose any expenditure of money. Once it is admitted we spent \$50,000,000,000 for the war, once we admit that in cleaning up the war we are spending \$13,000,000,000 for the armed forces this year, once we admit we are spending \$2,700,000,000 to try to get the world on a peaceful basis and try to establish a permanent peace as a part of the aftermath of war—if that is to be used as an argument for spending any money at all at home, then there is no use of trying to oppose any measures which may come before us. Under the same argument we could increase our Budget \$25,000,000,000 or \$30,000,000,000 a year. If we accept such an argument, the whole basis of discussion is eliminated.

No, Mr. President; we have to get away from the war psychology. We have to consider what is to be our permanent Budget. We have to consider that now we must raise every year the money to pay for this particular expenditure and other expenditures. This is only one of thousands of expenditures at home, compared to one expenditure abroad. It seems to me that we must consider the expenditures of the Government in the light of the fact that we are limited to the amount of money we can raise, that we are limited to the amount of money the Government can pay, and that we have to consider each proposal on its own merits. We have to take all the proposals presented, which call for many times what we can afford to expend, and boil them down, and judge which are most important, and allot the right amount of money to those particular purposes.

This is a very elastic program. Here we are spending \$57,000,000, and we are feeding only about 6,000,000 children, as I understand. Is that correct?

Mr. RUSSELL. Approximately 8,000,000.

Mr. TAFT. Approximately 8,000,000 children out of 24,000,000 are being provided lunches by an expenditure of \$57,500,000. The Senator from Georgia proposes, by expanding the amount only to \$100,000,000, ultimately to feed 24,000,000 children, three times the number of children now being fed. He is going to find that money somewhere else.

Mr. RUSSELL. The Senator knows that if the State funds are increased \$3 to \$1, and we here provide for a \$100,000,000 program, we will wind up with eight times as much money as the Federal Government is contributing at this time.

Mr. TAFT. The Senator admits the States cannot increase the amount of their contributions. Under the formula of the bill, which counts as part of the 3 to 1 or 1½ to 1, the portion paid by the school children for their own lunches, we may never reach the point where the State has to put up any money, or where the local school district has to put up any money. It seems to me perfectly obvious that if the States and localities were to cooperate, and charge a little more to the children, say 6 cents instead

of 5 cents, whatever the charge may be, we would find that it would be possible to stretch the \$57,500,000 to cover the 24,000,000 children just as successfully as could be done with the proposed \$100,000,000. After all, \$100,000,000 is an estimate, a guess, and we have gotten into this thing up to \$57,500,000. I do not like to cut it off. I can see some justification for it, even though I think it does not conform to all the requirements of a State aid program, but it is very clear to me that we can do the job which we want to do with \$57,000,000, and that there is no reason to go higher.

I may say that the House of Representatives passed this bill yesterday with only \$50,000,000 in it. I do not see why we should insist upon increasing the amount which the House of Representatives obviously considers entirely adequate for the particular purpose.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. ROBERTSON. I can understand and follow the argument of the distinguished Senator from Ohio so far as the State of Ohio is concerned, which receives its tax income from probably 95 percent of the total area of the State, but in the case of the Western States, which receive their tax incomes, many of them, from less than 50 percent of the total area of the State, the question is an entirely different one. Until the Federal Government sees fit to grant to the various Western States the acreage, the area, now held by the Federal Government, I feel that an appropriation of this kind is correct and proper, and I hope the Senator's amendment will be defeated.

Mr. AIKEN. Mr. President—

Mr. TAFT. I yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, I desire the floor in my own right.

Mr. TAFT. Mr. President, the difference is not so great as the Senator from Wyoming would indicate. I cannot find the figures just now, but will present them later.

Mr. AIKEN. Mr. President, I have listened attentively to the arguments for and against the school-lunch program. I appreciate the desire of the Senator from Missouri to put this country on a pay-as-you-go basis. I appreciate the sentiments expressed by the Senator from Ohio to the effect that the States can do more to take care of their own. But, unfortunately, as regards this bill, the arguments presented by the Senator from Ohio for reducing this appropriation are entirely unconvincing.

The health of our children, Mr. President, is the last thing with which we should deal in a miserly manner. I do not see that we can put a dollar value on the health of the boys and girls in the schools of this country regardless of the State in which they may live. The health of our children is a national problem. The health of a child in school in Alabama is almost as important to the people of the State of Ohio as is the health of a child in the State of Ohio. The health of the children in the poorer States, the low-income States, is certainly of vital importance to every person

in the United States, whether he lives in a poor State or in a rich State.

If I am correctly informed, more than 50 percent of the rejections for the armed services are traceable to malnutrition during the childhood of the boy or girl who was seeking to get into the service. That certainly makes the health of our children a national problem, no matter where they may live.

The Senator from Ohio stated that this bill could not be regarded as an education bill, but as a health bill. Probably it can be called mainly a health bill; but, from my experience as a director of schools during a 15-year period, I know for a fact that a child that has enough to eat and has the right things to eat is definitely a better student than a child that goes to school with little of the proper food to eat. Perhaps at home he does not have enough for breakfast. If that is the case, the school-lunch goes far toward overcoming that great deficiency.

The school-lunch program and the amount required to carry it on have been carefully worked out by our educators, our home economists, our dietitians, and others in the Department of Agriculture. They know what is required properly to conduct the program.

As I have said, I do not believe that we should place a dollar value on the health of our children. I do not like to reduce our problems to terms of dollars when we consider our children. Certainly, having spent \$300,000,000,000, or so, in the conduct of a war, we should not hesitate to spend \$100,000,000 if necessary to maintain the health of the boys and girls of this country. The health of our children and the education of our children are in my opinion the two first lines of any national defense program which we may adopt. When we spend \$300,000,000,000 for war and argue over whether we should spend \$50,000,000 or \$100,000,000 to maintain the health of the coming generation, which will have to take part in another war, if one should come, it seems to me that we are short-sighted. I know that we all hope and pray that there will never be another war, but until we are assured of that we must keep ourselves in readiness.

Mr. President, there are better ways to economize in our expenses of government than by neglecting the health of our children, and I earnestly hope that the amendment offered by the Senator from Ohio [Mr. Taft] will be defeated.

Mr. TAFT. Mr. President, in reply to the Senator from Wyoming [Mr. Robertson] I suggest that the figures show that the per capita income of Wyoming for 1940 is above the average for the United States, in spite of the lands which the Federal Government holds, or perhaps because of them.

Mr. ROBERTSON. Then the Senator from Vermont had no right to turn toward me every time he mentioned a poor State. [Laughter.]

Mr. TAFT. Not at all. The average per capita income payments in the United States in 1940 were \$575; in Wyoming \$605. That is not quite as high as the figure for Ohio, which is \$643, but it is not substantially different.

I wish to add one word. I yield to no one in saying that I believe that the

school-lunch program is a very excellent program. I think it has an important place in the health of the child, although it is only one of three or four different programs which affect the health of the child. Of course, the health of the child will always affect his education to a certain extent.

The point is, Why should the Federal Government pay for the lunches of every school child in the United States? Why should not the States do it? The Federal Government can help, but why should not the States put up something? There is nothing in this bill which requires the States or the school districts to put up a cent, except for supervision. All the rest of the cost can be charged to the children. So this is really not a matching bill in the ordinary sense in which matching bills have been drafted. It seems to me that the only way we can force the matching, unless we propose to rewrite the whole bill, is to reduce the amount, so as not to require the Federal Government to pay the entire subsidy of \$100,000,000. Let the States put up the amount in excess of the \$57,500,000 which is now spent.

I am not trying to reduce the appropriation for school lunches. The proponents of the bill are trying to increase the program by nearly 100 percent. They are trying to spend more money from now on than has ever been spent in the United States on this particular program.

I believe that the pending amendment should be adopted. I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. TAFT. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Morse
Austin	Guffey	Murdock
Bailly	Gurney	Myers
Ball	Hart	Overton
Bankhead	Hayden	Pepper
Barkley	Hickenlooper	Radcliffe
Bilbo	Hill	Reed
Brewster	Hoey	Robertson
Briggs	Huffman	Russell
Buck	Johnson, Colo.	Saltonstall
Bushfield	Johnston, S. C.	Smith
Butler	Knowland	Stanfill
Byrd	La Follette	Stewart
Capper	McCarran	Taft
Carville	McClellan	Thomas, Utah
Chavez	McFarland	Tobey
Cordon	McKellar	Tunnell
Donnell	McMahon	Tydings
Ellender	Magnuson	Vandenberg
Ferguson	Maybank	Walsh
Fulbright	Mead	Wheeler
George	Millikin	Wherry
Gerry	Mitchell	Willis
Gossett	Moore	Young

The PRESIDENT pro tempore. Seventy-two Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT].

Mr. TAFT. Mr. President, my amendment is to strike out "\$100,000,000" and insert "\$57,500,000," which is the amount currently being appropriated.

The PRESIDENT pro tempore. The amendment of the Senator from Ohio

proposes, on page 2, line 12, to strike out "\$100,000,000" and insert "\$57,500,000."

Mr. RUSSELL. Mr. President, I merely wish to say that in the opinion of those who have been supporting the school lunch program this amendment, if adopted, not only would prevent any expansion of the program, but might severely curtail the existing program.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the Senator from New York [Mr. WAGNER]. He is absent. Not knowing how he would vote, I withhold my vote.

The roll call was concluded.

Mr. THOMAS of Utah. I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the Senator from California [Mr. DOWNEY], who, if present and voting, would vote as I intend to vote. I vote "nay."

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], and the Senator from New York [Mr. WAGNER], are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from California [Mr. DOWNEY], the Senator from Mississippi [Mr. EASTLAND], the Senator from West Virginia [Mr. KILGORE], and the Senator from Texas [Mr. O'DANIEL] are detained on public business.

The Senator from Montana [Mr. MURRAY], and the Senator from Idaho [Mr. TAYLOR], are absent on official business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States to the General Assembly of the United Nations.

The Senator from Illinois [Mr. LUCAS], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Oklahoma [Mr. THOMAS], are detained on official business at various Government departments.

The Senator from New Mexico [Mr. HATCH] is detained at an important committee meeting. On this question he has a general pair with the Senator from Maine [Mr. WHITE].

If present and voting, the Senator from Florida [Mr. ANDREWS], the Senator from Mississippi [Mr. EASTLAND], the Senator from West Virginia [Mr. KILGORE], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Idaho [Mr. TAYLOR], and the Senator from Oklahoma [Mr. THOMAS] would vote "nay."

Mr. WHERRY. The Senator from Illinois [Mr. BROOKS] is recovering from a recent operation.

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate on official business of the Small Business Committee, of which he is a member.

The Senator from New Jersey [Mr. HAWKES] and the Senator from North Dakota [Mr. LANGER] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is absent on official business. He has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from Minnesota [Mr. SHIPSTEAD] is detained on official business.

The Senator from Wisconsin [Mr. WILEY] and the Senator from Iowa [Mr. WILSON] are detained on official business.

The Senator from Maine [Mr. WHITE] is detained in an important committee meeting. He has a general pair with the Senator from New Mexico [Mr. HATCH].

The result was announced—yeas 21, nays 50, as follows:

YEAS—21

Bailey	Cordon	Moore
Ball	Donnell	Saltonstall
Brewster	Gerry	Smith
Buck	Gurney	Taft
Bushfield	Hart	Tydings
Butler	Hickenlooper	Wherry
Byrd	Millikin	Willis

NAYS—50

Alken	Hill	Murdock
Austin	Hoey	Myers
Bankhead	Huffman	Overton
Barkley	Johnson, Colo.	Pepper
Bilbo	Johnston, S. C.	Radcliffe
Briggs	Knowland	Robertson
Capper	La Follette	Russell
Carville	McCarran	Stanfill
Chavez	McClellan	Stewart
Ellender	McFarland	Thomas, Utah
Ferguson	McKellar	Tobey
Fulbright	McMahon	Tunnell
George	Magnuson	Vandenberg
Gossett	Maybank	Walsh
Green	Mead	Wheeler
Guffey	Mitchell	Young
Hayden	Morse	

NOT VOTING—25

Andrews	Hawkes	Shipstead
Bridges	Kilgore	Taylor
Brooks	Langer	Thomas, Okla.
Capehart	Lucas	Wagner
Connally	Murray	White
Downey	O'Daniel	Wiley
Eastland	O'Mahoney	Wilson
Glass	Reed	
Hatch	Revercomb	

So Mr. TAFT's amendment was rejected.

The PRESIDENT pro tempore. If there be no further amendments to be proposed—

Mr. TAFT. Mr. President, I move that title II of the bill be stricken out.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Ohio.

Mr. TAFT. Title II, as Senators will note if they will turn to page 11 of the bill, proposes that something entirely new in the way of the distribution of Federal funds to the States be done. It proposes to distribute \$15,000,000 to enable the United States Commissioner of Education, under the supervision and direction of the Federal Security Administration, to carry out the purposes of the bill. The sum of \$15,000,000 is to be apportioned between the various States. Of course, it will not bring a very large sum of money to any one State. It is intended that it shall be used by the State educational agency, either directly or through grants to schools, to provide related nutrition education for school programs, to provide and train technical and supervisory personnel, and

to provide equipment and facilities for such programs, except that such funds may not be used for the acquisition of food.

It then proposes that standards be set up for food and nutrition, and nutrition experts are to be given the power to go around to all the schools and find out what the children are eating and to determine what they should eat. To set up a new Federal control over the diet and food of the people of this country seems to me to go beyond anything we have done heretofore and beyond the existing school-lunch program. I do not think anyone who has studied the program, except the nutrition experts, has had any particular interest in this provision, and I believe very strongly that it would give the Federal Government just one more bureau which would be attempting to supervise schools. If nutrition is to be controlled, I think each State should control it.

The amount of money required is insignificant. The employment of a few nutrition experts in each State to advise their own boards, if they wish to do so, is a matter which the States certainly can afford. They have surpluses, whereas the Federal Government has only a deficit.

I cannot see any reason for inventing this new program and putting it on as more or less of a tail to the popular school-lunch program which we have already discussed.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. GURNEY. If title II is not included in the bill, there will be extra money to spend for food, will there not? Would not that naturally follow?

Mr. TAFT. There would be that much more money in the Federal Treasury. But there are separate authorizations, one for the \$15,000,000 for this purpose, and another for the \$100,000,000 for food and the school-lunch programs.

I may say that the House of Representatives, after considerable debate on Friday, I believe, struck title II entirely out of the bill. It seems to me that the Senate should do the same.

Mr. AIKEN. Mr. President, I wish to say that, contrary to any impression which may have been given by the Senator from Ohio, there is nothing in title II so far as can be seen that would give the Federal Government control over any educational program or the administration of this program in the several States.

The duties of the Commissioner of Education and the Federal Security Administrator are to allocate the funds and then approve the plans submitted by the State. Section 203 (a) reads in part as follows:

SEC. 203. (a) In order to be approved a State plan for the administration of school-lunch programs must—

(1) provide that the plan shall be administered, or that its administration shall be supervised, by the State educational agency.

(2) provide that funds paid to the State under this title will be used solely for carrying out the purposes of section 202 (b) and that the amount of such funds spent during any fiscal year for administration and supervision by the State educational agency

shall not exceed 15 percent of the funds apportioned to such State for such year under this title.

I see nothing in the bill which would give the Federal Government control over any educational program in the State.

Mr. TAFT. I did not say that it would give the Federal Government control over any educational program, but I stated that it would give control over a nutrition program. There would be many nutrition experts telling the parents of children in the various school districts what lunches they should serve to the children.

Mr. AIKEN. In order to counteract any erroneous impression which might be given by the Senator from Ohio's remarks, I have read the language as it appears in the bill.

Mr. ELLENDER. Mr. President, it is now but a few minutes from our usual hour of adjournment and I do not wish to delay a vote on the final passage of the bill. I believe it has been sufficiently debated to enable all of us to thoroughly understand it. I hope that the amendment proposed by the senior Senator from Ohio [Mr. TAFT] will be defeated. I consider title II a most necessary adjunct to the continuation and the expansion of our school-lunch program.

On page 12 of the bill, section 202 (c) reads in part as follows: "which shall be used"—that is, the funds allotted to each State—"by the State educational agency, either directly or through grants to schools and school systems, to establish, maintain, operate, and expand school-lunch programs, to provide related nutrition education, and to provide and train technical supervisory personnel and to provide equipment and facilities for such programs; except that such funds may not be used for the acquisition, construction, or alteration of buildings or for the purchase of land or food."

That language, Mr. President, indicates how the funds to be appropriated under title II are to be used. Now let me summarize why such funds are necessary and why title II should be retained in the bill.

First. To develop sound lunch programs and related nutrition education, school-lunch directors or supervisors must be trained and employed by State, county, and city school systems. While there are naturally wide variations in the number of such persons needed in the several States, fair estimates suggest that there are immediately needed several such directors and supervisors in each State department of education and one or more to have charge of school lunch programs of each of the larger cities and of two or more counties grouped for this purpose. At the outset these would total about five or six hundred for all of the States. Eventually every county and city school system will need to employ this type of school-lunch leadership, totaling for the Nation about 10,000 persons. Some of these school systems are already employing such school-lunch directors and supervisors; others cannot do so without help. The work of these supervisors will have to be facilitated through research, planning conferences, demon-

strations, publications, and other services carried on cooperatively by the State departments of education and the United States Office of Education.

The following briefly lists the major functions of these school-lunch directors or supervisors:

(a) Train school-lunch workers—supervisors, nutritionists, cooks.

1. On-the-job training through visits, conferences, workshops, institutions, short courses, demonstrations, circulars, and so forth.

2. Preservice training through job analyses, home economics courses, outlines for college courses, guided practice programs, and so forth.

(b) Develop suitable housing plans and equipment lay-outs.

1. With school-building directors they plan lunchrooms of various sizes.

2. With institutional management experts they determine types of equipment needed and where to place it for greater efficiency.

3. With health and sanitation experts they develop and enforce health and safety standards.

(c) Advise on plans for administering and financing school-lunch program.

1. Prepare written materials to show what can be done in schools and communities of different sizes and types.

2. Help work out budget plans, record forms, accounting systems, ways and means of using community resources.

3. Visit schools to help organize school-lunch committees, to develop community understanding and support, to organize and install school lunches.

(d) Develop nutrition education programs.

1. Work out techniques and procedures for making school lunches educational.

2. Help school principals integrate the school lunch with health instruction, home-economics instruction, and so forth.

3. Develop ways of working with parents on nutrition education problems.

Second. Thousands of schools will need help in employing trained lunchroom managers and operators if they are to make the wisest use of the aids provided through title I to channel food into school lunches and if they are to spread the benefits of this type of aid as widely and as fairly as possible. Since there is an inadequate number of persons trained or experienced in carrying on the business activities, the managerial functions, the large-scale cookery, and similar technical duties involved in running an efficient school-lunch program, training courses and activities must be worked out for these and made available. To be effective, such training activities must be provided both on a pre-employment basis in the State teacher-training institutions and on an in-service basis within the county and city school systems. It is estimated that more than 100,000 of the larger schools will need to employ such managers and operators of school lunches; at present fewer than one-third of these schools have lunchrooms and employ such managers. Through Federal assistance, the essential technical services can be made

generally available and the health and safety of the children safeguarded.

Third. Without some help in providing equipment, school-lunch programs cannot be established in many of the schools now without such programs. A developmental program stimulated through Federal funds should therefore make it possible for State educational agencies to help such schools to procure the needed equipment. The amount and type of equipment needed will vary from a simple roll-away cabinet fitted to serve the needs of a one-teacher school to the more elaborate cooking and serving facilities needed in the larger lunchrooms. It has been estimated that at the outset an average Federal outlay of \$100 or \$200 per school would help many thousands of schools to establish school-lunch programs. If the State school systems were to pursue a policy of extending this type of Federal assistance chiefly to schools not having such programs, it is clear that even a modest amount of Federal funds could in time make the necessary equipment available to all of the schools.

Mr. President, I feel that the reasons herein given should be sufficient to justify the Senate in voting down the pending amendment. I desire to see this program expand so that it will reach all sections of the country, particularly the rural areas where such help is needed in order to foster and stimulate school-lunch programs.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Ohio [Mr. TAFT].

Mr. AIKEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the Senator from New York [Mr. WAGNER]. I transfer that pair to the Senator from Indiana [Mr. CAPEHART] and will vote. I vote "yea."

The roll call was concluded.

Mr. THOMAS of Utah. I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the Senator from California [Mr. DOWNEY], who, if present and voting, would vote as I intend to vote. I vote "nay."

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from California [Mr. DOWNEY], the Senator from Mississippi [Mr. EASTLAND], the Senator from West Virginia [Mr. KILGORE], and the Senator from Texas [Mr. O'DANIEL] are detained on public business.

The Senator from Montana [Mr. MURRAY] and the Senator from Idaho [Mr. TAYLOR] are absent on official business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States to the General Assembly of the United Nations.

The Senator from North Carolina [Mr. BAILLY], the Senator from Illinois [Mr.

LUCAS], and the Senator from Wyoming [Mr. O'MAHONEY] are detained on official business at various Government departments.

The Senator from New Mexico [Mr. HATCH] is detained at an important committee meeting. On this question he has a general pair with the Senator from Maine [Mr. WHITE].

If present and voting, the Senator from Florida [Mr. ANDREWS], the Senator from Mississippi [Mr. EASTLAND], the Senator from West Virginia [Mr. KILGORE], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Idaho [Mr. TAYLOR] would vote "nay."

Mr. WHERRY. The Senator from Illinois [Mr. BROOKS] is recovering from a recent operation.

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate on official business of the Small Business Committee, of which he is a member.

The Senator from New Jersey [Mr. HAWKES] and the Senator from North Dakota [Mr. LANGER] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is absent on official business. He has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from Minnesota [Mr. SHIPSTEAD] is detained on official business.

The Senator from Wisconsin [Mr. WILEY] and the Senator from Iowa [Mr. WILSON] are detained on official business.

The Senator from Maine [Mr. WHITE] is detained in an important committee meeting. He has a general pair with the Senator from New Mexico [Mr. HATCH].

The vote was announced—yeas 25, nays 47, as follows:

YEAS—25

Austin	Cordon	Moore
Ball	Ferguson	Reed
Brewster	Gerry	Taft
Buck	Gurney	Tydings
Bushfield	Hart	Vandenberg
Butler	Hickenlooper	Wherry
Byrd	Johnson, Colo.	Young
Capper	McCarran	
Carville	Millikin	

NAYS—47

Aiken	Huffman	Pepper
Bankhead	Johnston, S. C.	Radcliffe
Barkley	Knowland	Robertson
Blibo	La Follette	Russell
Briggs	McClellan	Saltonstall
Chavez	McFarland	Smith
Donnell	McKellar	Stanfill
Ellender	McMahon	Stewart
Fulbright	Magnuson	Thomas, Okla.
George	Maybank	Thomas, Utah
Gossett	Mead	Tobey
Green	Mitchell	Tunnell
Guffey	Morse	Walsh
Hayden	Murdock	Wheeler
Hill	Myers	Willis
Hoey	Overton	

NOT VOTING—24

Andrews	Glass	O'Mahoney
Bailey	Hatch	Revercomb
Bridges	Hawkes	Shipstead
Brooks	Kilgore	Taylor
Capehart	Langer	Wagner
Connally	Lucas	White
Downey	Murray	Wiley
Eastland	O'Daniel	Wilson

So Mr. TAFT's amendment was rejected.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 998, House bill 3370, to provide assistance to the States in the establishment,

maintenance, operation, and expansion of school-lunch programs, and for other purposes.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to consider the bill.

Mr. RUSSELL. I move that the House bill be amended by striking out all after the enacting clause and substituting Senate bill 962.

The motion was agreed to.

The PRESIDENT pro tempore. The House bill is before the Senate and open to further amendment. If there be no further amendment to be offered, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 3370) was read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 962 will be indefinitely postponed.

Mr. RUSSELL. Mr. President, I move that the Senate insist on its amendment, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. RUSSELL, Mr. ELLENDER, Mr. BANKHEAD, Mr. CAPPER, and Mr. AIKEN conferees on the part of the Senate.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his Secretaries.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

Maj. Gen. Harry Schmidt to be a lieutenant general in the Marine Corps, for temporary service, from the 1st day of March 1946.

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

Sundry officers for promotion in the Regular Army of the United States, under provisions of law; and

Sundry officers for appointment, by transfer, in the Regular Army of the United States.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

SELECTIVE SERVICE SYSTEM

The legislative clerk read the nomination of Vivian B. Collins to be State director for Florida.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the foreign service.

Mr. BARKLEY. I ask unanimous consent that the foreign-service nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the foreign-service nominations are confirmed en bloc.

TREASURY DEPARTMENT

The legislative clerk read the nomination of O. Max Gardner to be Under Secretary of the Treasury.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF LABOR

The legislative clerk read the nomination of Maj. Gen. Graves Blanchard Erskine, United States Marine Corps, to be Retaining and Reemployment Administrator.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

ASSISTANT COMMISSIONER OF PATENTS

The legislative clerk read the nomination of Thomas F. Murphy to be Assistant Commissioner of Patents.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

COLLECTOR OF INTERNAL REVENUE

The legislative clerk read the nomination of Elmer F. Kelm to be collector of internal revenue for the district of Minnesota.

Mr. GEORGE. Mr. President, some objections were filed to this nomination. A subcommittee of the Committee on Finance was appointed, and the subcommittee reported unanimously to the full committee in favor of the confirmation of the nomination. However, as chairman of the Committee on Finance, I am in receipt of a telegram from George P. Phillips, president of the United Labor Committee for Political Action, in Minneapolis, Minn., which Mr. Phillips asks me to present to the Senate. I therefore ask unanimous consent that the telegram be printed in the RECORD.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

MINNEAPOLIS, MINN., February 24, 1946.
Senator WALTER F. GEORGE,
Chairman, Finance Committee,
United States Senate,
Senate Office Building,
Washington, D. C.:

With deep disgust we learn Senate Finance Committee, over protest of practically all Minnesota, has voted to replace efficiency in the conduct of the office of internal revenue collector in Minnesota with the spoils system, in voting to oust efficient and popular Internal Revenue Collector Arthur D. Reyn-

olds to make a job for wealthy Banker Elmer Kelm.

Of course, if the Senate supports the action of the committee, it will be conclusive proof to the organized workers of Minnesota that the Democratic and Republican Parties have united in hostility to organized labor in Minnesota. It will be surprising if this united flouting of organized labor in Minnesota by both Democrat and Republican National Parties does not result in the reviving of the Farmer-Labor Party. Apparently the vote rolled up by the American Labor Party in the recent special congressional election in New York City did not teach either Democrats or Republicans anything. In behalf of 100,000 members of AFL, CIO, and railroad brotherhoods in Minneapolis whom this committee represents, request you read this telegram to the Senate if the attempt is made to confirm wealthy Banker Elmer Kelm for internal revenue collector for the Minnesota district.

Yours very respectfully,

UNITED LABOR COMMITTEE
FOR POLITICAL ACTION.
GEORGE P. PHILLIPS,
President.

The PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

COLLECTORS OF CUSTOMS

The legislative clerk read the nomination of John O'Keefe to be collector of customs for customs collection district No. 34.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Alexander H. Bell to be collector of customs for customs collection district No. 14.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. BARKLEY. I ask unanimous consent that the President be notified immediately of all confirmations of today.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith of all confirmations of today.

GROWTH OF MONOPOLIES

Mr. BARKLEY. Mr. President, I move that the Senate resume consideration of legislative business.

The motion was agreed to.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks a letter I have received today from Mr. Henry L. McCarthy, executive director of the New Council of American Business, Inc. In his letter Mr. McCarthy points out the great need of legislation to check the sinister growth of monopolies.

I think it is unquestionably true that today the ill effects of monopoly control, and the spread of monopoly, are undoubtedly more serious than at any other time in the past 25 years, and in this very interesting letter Mr. McCarthy, representing a group of businessmen, suggests a legislative program to check the growth of monopolies. I find many points made by Mr. McCarthy exceedingly sound, and I propose to give very serious consideration to his suggestion, with the idea in mind of introducing at a later date appropriate legislation.

I renew my request that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NEW COUNCIL OF
AMERICAN BUSINESS, INC.,
Washington, D. C., February 25, 1946.
The Honorable WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: The New Council of American Business, Inc., a national organization of independent businessmen, recognizes that the greatest threat to our individual opportunities for survival and expansion is the growing power of big business which has reached monopolistic proportions in nearly every major industry in the Nation. The New Council has watched with great satisfaction the influence you have had on American thought. We believe your leadership in promoting sensible legislation affecting business interests has placed you in the forefront of public men to whom we look for assistance with our many problems. We believe that the program which we shall outline in this letter is consistent with every public expression you have made in Congress. We urge you to again take leadership on this front which is of vital importance to independent business everywhere in the Nation.

In order to strengthen the democratic character of our economy; to maintain an economy where new products and techniques can be developed; and to provide employment opportunities which must be created if we are to escape the industrial troubles and hardships of the thirties, small business must be aided by eliminating the threat of monopolistic practices by large corporations and by the control of already existing monopolies. At the present time, less than 2 percent of all manufacturing firms employ more than three-fifths of all manufacturing workers. In nonmanufacturing industries there has also been a constant decline in the position of the small concerns. Half a million small retail, service, and construction firms disappeared during the war. In 1939, firms with less than 50 employees employed a full third of all employees in American trade and industry. By 1943, the share of these small firms had shrunk to one-quarter.

The question of whether the increasing rate of wartime economic concentration will continue will, in a large measure, depend upon the dissolution of or the effective governmental control or regulation of monopoly interests and monopolistic tendencies which are now widespread.

It is obvious that we cannot turn back the clock in the industrial development of our country. Certain types of industries will always require huge concentrations of capital and labor. Other types such as railways and public utilities are, by their very nature, monopolistic. It would be unrealistic if we should suggest that these giants be reduced into smaller firms. We can, however, limit or reduce their power by adequate protection and assistance to smaller businessmen.

It is my suggestion that a comprehensive bill, such as the full employment bill which you supported, be introduced into the Congress covering the broad field of positive antimonopoly action. The goal of full employment can only be achieved by the effective regulation and control of current monopolies and the encouragement and expansion of the traditionally small businesses which reflect the democratic nature of our system.

The type of bill which I have in mind would establish a coordinated program of preventing or eliminating monopoly and monopolistic practices in order to contribute to the maintenance of full production through the full use of all the resources of free competitive enterprise. This type of bill would require that—

(b) A bill of rights: The adoption of amendments like those above suggested would confer certain powers on the United Nations whereby it would exercise a direct authority upon individuals. This authority would exist, it is true, within a very limited field. There would, for example, be no power to tax the individual but only power to levy assessments against the member countries. There would also be no power to conscript the individual for the inspection, police, and military forces of the United Nations, since the authority to raise such forces could only be exercised by voluntary methods.

There would, however, be power in the General Assembly to pass all laws necessary to ensure the use of atomic energy for peaceful purposes only and to eliminate atomic and other major weapons from national armaments; to provide for such inspections as are deemed necessary to these ends; to raise and maintain inspection, police, and military forces; and to apprehend, try, and punish individual violators of the kind of laws specifically authorized.

While these powers are believed to be the minimum powers necessary to maintain peace, they are nevertheless substantial and raise the question of constitutional safeguards against their possible misuse. Such safeguards should certainly include guarantees for fair trial of persons accused of violating any laws passed by the General Assembly. It might also be advisable to prohibit the use of the granted powers in any such manner as to infringe upon the fundamental rights now possessed by citizens of member states, such as freedom of religion, of speech, of the press, assembly, and petition. Under this head, it is true that there is nothing in the proposed powers to justify any perversion of those powers in these directions. However, carefully expressed guarantees against any possible misuse of the delegated powers might give assurance which would strengthen confidence in the United Nations.

A bill of rights of this character would be directed solely to the exercise of the delegated powers of the United Nations. The matter of "promoting respect for, and observance of, human rights and fundamental freedoms for all," presumably through recommending guarantees of such rights by the member countries themselves, is a separate question which is the responsibility of the Economic and Social Council under article 62, paragraph 2.

(c) Consequential changes. If the above main amendments are adopted in substance, a number of consequential changes will be necessary in order to make the Charter consistent and harmonious.

For example, the term "Organization" in the Charter should be eliminated. The effect of the above main amendments would be to constitute a world federal government with limited but definite legislative powers in the General Assembly, with a Security Council responsible to the Assembly and acting as an executive body in the field of security and with a world judiciary with authority to interpret the Charter and to interpret and apply the laws enacted by the General Assembly. The designation "Organization" would, therefore, no longer be appropriate, so that in all cases where the term "Organization" occurs in the Charter, the term "United Nations" should be substituted.

VI

If and when amendments are adopted substantially in accord with those above suggested, a minimum of centralized control would be provided and a maximum of self-government would be reserved to the separate States. The delegated powers for unity of action would be restricted to those things strictly necessary to the survival of civilization, the development of further powers being left to future evolution and the growth

of confidence among the nations, through the successful operation of the limited powers first exercised.

Nevertheless, the delegation of these limited powers would involve a definite modification of the sovereignty of the member states, and this delegation would confer upon the United Nations authority which can only be correctly described as authority to govern within a strictly defined sphere. There would exist, therefore, a true world federal government, even though the powers delegated to it would be far more restricted than those commonly assigned to the federal government in national states of a federal character.

Of equal importance with the delegation of the minimum powers essential to survival are the provisions making reasonably certain the effective exercise of these powers. For it would be of no use to grant powers much more extensive than herein proposed if, as under the present charter, the machinery for their exercise is such as to make it uncertain whether any decisions can be arrived at, no matter how urgent the need.

We believe that through the provision for balanced representation in the General Assembly, coupled with the provision for decisions by majority vote and for voting by the representatives as individuals, the indispensable requirement for world machinery capable of functioning promptly and reliably, has been met.

Under the proposed (f) of article 12, empowering the assembly to enact laws to make wars of aggression criminal and to punish individual violators after trial in courts of the United Nations, a tremendous step would be taken. We would have come much nearer to "a world law, with a world judiciary to interpret it" and "with a world police to enforce it."¹

We believe that only when amendments are adopted which go at least as far as those herein proposed, will the world have a reasonably reliable system for the maintenance of world order and for the promotion of justice among all peoples.

We believe that there is no time to lose in considering amendments of the character proposed. Accordingly, we respectfully petition the members of the General Assembly to take these proposals under advisement at the first opportunity.

Massachusetts Committee for World Federation, by Thomas H. Mahony, Chairman, Boston, Mass.; Missouri State Committee for World Federation, by F. R. von Windeger, Chairman, St. Louis, Mo.; James B. Ames, Lawyer, Boston, Mass.; Douglas Arant, Lawyer, Birmingham, Ala.; Samuel G. Atkinson, Business, Boston, Mass.; Margaretta A. Austin, Former Executive Secretary, Federal Union, Washington, D. C.; Perkins Bass, Lawyer, Peterborough, N. H.; Hon. Robert P. Bass, Former Governor of New Hampshire, Peterborough, N. H.; Kingman Brewster, Jr., Student, Cambridge, Mass.; H. L. Brotman, Lawyer, New York City; Lincoln C. Brownell, Lawyer, New York City; Henry B. Cabot, Lawyer, Chairman of Massachusetts Committee of 1,000 on World Organization, Boston, Mass.; Elizabeth Cady, Executive Secretary, Massachusetts Committee for World Federation, Boston, Mass.; Marie J. Carroll, Research, Director, World Peace Foundation, Boston, Mass.; Grenville Clark, Lawyer, New York City; Louisa H. Clark, Student, Dublin, N. H.; Alan Cranston, Correspondent and Au-

thor, Chairman of Dublin Conference Committee on World Government, Washington, D. C.; Howard P. Davis, Lecturer and Author, Bolton, Mass.; John Dickinson, Foreign Correspondent, Arlington, Va.; Dr. Albert Einstein, Institute of Advanced Study, Princeton, N. J.; Rev. William F. English, Clergyman, Norwood, Mass.; Marshall Field, Jr., Lawyer, Chicago, Ill.; Mrs. Richard T. Fisher, Director, Massachusetts Committee for World Federation, Boston, Mass.; Arthur J. Goldsmith, Publicist, New York City; Frank H. Griffin, Jr., Student, Wawa, Pa.; Conrad Hobbs, Treasurer, Massachusetts Committee for World Federation, Boston, Mass.; Palmer Hutcheson, Lawyer, Houston, Tex.; James Imbrie, Business, Trenton, N. J.; Cloyd Laporte, Lawyer, New York City; John J. Mahoney, Professor at Boston University, Boston, Mass.; Edward F. Mahony, Student, Boston, Mass.; J. A. Migel, Merchant, Director, Americans United for World Organization, New York City; Lillian T. Mowrer, Foreign Correspondent, Washington, D. C.; Lewis Mumford, Historian, Hanover, N. H.; Albert Pratt, Business, Boston, Mass.; A. J. G. Priest, Lawyer, New York City; Ivor A. Richards, Professor at Harvard University, British Subject, Cambridge, Mass.; Dr. L. N. Ridenour, Physicist, Massachusetts Institute of Technology, Cambridge, Mass.; Herbert F. Rudd, Professor at University of New Hampshire, Durham, N. H.; Joseph H. Rush, Physicist, Manhattan Project, Oakridge, Tenn.; Joseph A. Salerno, Labor Leader, President of Massachusetts State CIO, Boston, Mass.; Richard B. Scandrett, Jr., Lawyer, New York City; Joseph Schreiber, Lawyer, New York City; R. McInturn Sedgwick, Business, Boston, Mass.; Eldon C. Shoup, Business, Boston, Mass.; Rev. Paul T. Shultz, Jr., Clergyman, West Roxbury, Mass.; Marshall K. Skadden, Lawyer, New York City; Louis B. Sohn, Research Fellow in International Law, Harvard Law School, Cambridge, Mass.; William L. Storey, Lawyer, New York City; Rex Stout, Author, Brewster, N. Y.; Hon. Glen H. Taylor, Senator from Idaho, United States Senate, Washington, D. C.; Hon. Elbert D. Thomas, Senator from Utah, Chairman of Senate Committee on Military Affairs, Washington, D. C.; Gray Thoron, Lawyer, New York City; Hon. Jerry Voorhis, Representative from California, House of Representatives, Washington, D. C.; Bruce M. Weinhold, Business, Representatives, Washington, D. C.; Bruce M. Weinhold, Business, Youngstown, Ohio; Herbert Whyman, Lecturer, New York City; Eugene P. Wigner, Physicist, Princeton, N. J.; Wayne D. Williams, Lawyer, Denver, Colo., Petitioners.

NOTE.—This petition was circulated among a small group in the United States of America February 1-5, 1946. The above-named petitioners are those who signed in that period. It is now intended to circulate the petition more widely, not only in the United States of America, but in other countries, and to file the names of additional petitioners with the Secretary-General.

¹See the speech of Mr. Ernest Bevin on November 23, 1945.

Child-Care Centers

SPEECH

OF

HON. CLYDE DOYLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 1946

CALIFORNIA LEGISLATOR NOTIFIES REPRESENTATIVE DOYLE CALIFORNIA APPROPRIATES FOR CHILD-CARE NURSERIES

Mr. DOYLE. Mr. Speaker, in connection with child-care centers, several months ago it developed that my native State of California had one-fourth of the children who were in child-care centers throughout the entire Nation. California and all States needed time to legislate and provide funds. As I regard our children as our greatest natural wealth, I naturally offered a bill, which happened to be the only bill filed in the Congress, and then I appeared in behalf of a congressional group before the Committee on Appropriations asking for \$5,400,000 of the rescission moneys to avoid delay. I asked and received the utmost cooperation of President Truman—and by the way, I want to thank him for his sympathetic and prompt action taken. Also the cooperation of the Committee on Appropriations, and its distinguished chairman. The sum of \$5,400,000 was allowed out of rescission moneys. I now am advised by Gardiner Johnson, member of the State Assembly of my native State of California, that the State of California has done that which it indicated to me it wanted opportunity to do. I believed it would and acted accordingly. It is now taking care of its own children in these necessary nurseries and has appropriated by legislation \$3,500,000. I know the House will be glad to know this. I thank all Members for their cooperation in the matter.

As the letter from Assemblyman Johnson gives the number of the California bills and the purport thereof, I include same for your information, in case any of your States make inquiry of you.

The letter referred to is as follows:

ASSEMBLY, CALIFORNIA LEGISLATURE,
February 23, 1946.

HON. CLYDE DOYLE,
Old House Office Building,
Washington, D. C.

DEAR CONGRESSMAN DOYLE: Enclosed herewith I am sending to you copies of the three measures relating to child-care centers that were enacted by the California Legislature at its special session that adjourned last Tuesday evening.

The two bills were signed by Governor Warren on Wednesday morning, February 20, and became effective immediately.

Assembly bill 7 provides for the continuance of child-care centers in California until 90 days after the final adjournment of the next regular session of the legislature.

Senate bill 45 appropriates the sum of \$3,500,000 from the general fund of the State of California to support child-care centers until March 30, 1947.

Assembly Concurrent Resolution No. 3 creates a joint legislative committee to survey the need for child-care centers, nursery schools, kindergartens, and other forms of early training of children, and to report back to the next regular session of the legislature within 10 days after it convenes. The sum of \$25,000 is appropriated for the purpose of conducting the survey.

These three measures constituted the full program of the assembly interim committee on public education, of which I had the honor to be chairman, and concerning the work of which I spoke to you in Washington last October.

Knowing of your interest in this subject I thought you would be anxious to have this material available in your files. If you need further information, please do not hesitate to call upon me. The joint legislative committee has already been appointed and I am to continue on as chairman of it.

There are many thousands of people in California who should be exceedingly grateful to you for the fine service that you rendered in securing adequate Federal funds to carry on the work of these centers until such time as we were able to conceive and enact into law the program embodied in these bills. But for your action the entire program would have closed down before the State of California was able to act. You should be very gratified to know that your energy and persistent efforts made it possible to carry on this needed service.

Looking forward to seeing you again, I am, with warmest best regards,

Sincerely yours,

GARDINER JOHNSON.

a pitifully pennywise sort of economy to argue, as some did in the House on Tuesday, that the Government cannot afford a \$50,000,000 annual investment assuring such valuable dividends.

Some of the other objections raised against the school-lunch bill seemed to verge on the preposterous. Representative TABER said it "is designed to wreck the public school system of America." Representative WADSWORTH saw it as "statism." Representative BUCK declared that "it begins teaching children at the tender age of 5 that they may eat at the bounty of the Federal Government." The program has been operating for 10 years; the bill passed by the House would give it permanent legislative status, with proper disbursement of the funds through State educational systems. The public school system has thus far survived it and will, we feel confident, continue to do so. And the morale of our 5-year-olds will no doubt withstand a free lunch as well as it withstands a free education. The program does nothing more subversive than to give a glass of milk, or in some cases a good hot meal, to children whose families cannot afford to give them proper nutrition. We shall all be able to eat more comfortably if we know this program is being carried on.

The School-Lunch Program

EXTENSION OF REMARKS

OF

HON. ARTHUR CAPPER

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Tuesday, February 26 (legislative day of Friday, January 18), 1946

Mr. CAPPER. Mr. President, the Washington Post printed a fine editorial on February 23 commenting favorably on the school-lunch program now before the Senate. I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SCHOOL LUNCHES

The federally-supported school-lunch program, instituted a decade ago as a means of marketing farm surpluses, deserves continuation today as a means of improving the health of the school children who have been its beneficiaries. We hope that the Senate will promptly follow the action of the House on Thursday in giving the program a proper statutory basis. Farm surpluses are not, at the present time, a problem, of course, although there are still and probably always will be local surpluses of many kinds of food. But the health of the Nation's school children continues to constitute a very real problem. Henry Wallace's observation the other day that Iowa hogs and heifers are better fed than one-third of Washington's youngsters was no doubt a somewhat irritating extravagance. But it was certainly not without substance; the Iowa hogs and heifers get a more nutritious and scientifically balanced diet than many of the children in low-income homes here and elsewhere.

The national consequences of malnutrition at school age were made tragically evident during the war. General Hershey has testified that 70 percent of the boys who had poor nutrition 10 or 12 years ago were rejected by Selective Service. The peacetime cost in illness, indigence, and inability to work is incalculable. As Representative ADOLPH SABATH put it, "our children are our greatest national resource, and anything we do to make them stronger and healthier will help our Nation in the future." It seems to us

Suggestion That Apostle Islands Be Made Seat of United Nations

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Tuesday, February 26 (legislative day of Friday, January 18), 1946

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD an article from the Washburn Times, of Washburn, Wis., entitled "Why Not the Apostle Islands?"

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY NOT THE APOSTLE ISLANDS?—AN OPEN LETTER TO THE UNITED NATIONS ORGANIZATION

To the Special Committee of the UNO Interim Council Appointed to Select a Permanent Capital for the United Nations:

HONORED SIRs: We see by the papers that you have been having some difficulty in selecting a permanent home for the United Nations Organization. The residents of the North Stamford-Greenwich area you chose apparently decline the honor not wishing to have their estates transformed into so unimportant a thing as a world capital. We offer a solution to your difficulties by seriously and respectfully proposing a much more appropriate site for the UNO home—a site that is eminently suitable as to historic background, location, climate, area, scenery, and other natural advantages; namely, the Apostle Islands off the northern tip of the State of Wisconsin in Lake Superior. It's a perfect site for your purpose, and it won't cost you much, if anything. And economy is a factor not to be ignored even by the UNO.

With a history going back to the very dawn of time, the Apostle Islands offer an appropriate location for an organization that seeks to bring the dawn of a new era in the unhappy annals of mankind. The red sandstone of the Apostle Islands is considered by many geologists to be the oldest land on earth. It will be good for the ego of the

79TH CONGRESS
2D SESSION

H. R. 3370

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 1946

Ordered to be printed with the amendment of the Senate

AN ACT

To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "National School Lunch
4 Act".

5 DECLARATION OF POLICY

6 SEC. 2. It is hereby declared to be the policy of Con-
7 gress, as a measure of national security, to safeguard the
8 health and well-being of the Nation's children and to en-
9 courage the domestic consumption of nutritious agricultural
10 commodities and other food, by assisting the States, through

1 grants-in-aid and other means, in providing an adequate
2 supply of foods and other facilities for the establishment,
3 maintenance, operation, and expansion of nonprofit school
4 lunch and nutrition-education programs.

5 TITLE I—ASSISTANCE IN PROVIDING FOOD
6 APPROPRIATIONS AUTHORIZED

7 SEC. 101. For each fiscal year, beginning with the
8 fiscal year ending June 30, 1947, there is hereby authorized
9 to be appropriated, out of money in the Treasury not other-
10 wise appropriated, such sums as may be necessary, not ex-
11 ceeding \$50,000,000, to enable the Secretary of Agricul-
12 ture (hereinafter referred to as the "Secretary") to carry
13 out the provisions of this title.

14 APPORTIONMENTS TO STATES

15 SEC. 102. The Secretary shall apportion among the
16 States during each fiscal year not less than 75 per centum of
17 the funds appropriated for such year for carrying out the
18 provisions of this title: *Provided*, That of the funds available
19 to the Secretary for the purposes of this title not in excess of
20 2 per centum thereof shall be available to the Secretary
21 for use directly in nonprofit child care centers: *Provided*
22 *further*, That of the funds made available by this title not
23 in excess of \$1,500,000 can be used in Alaska, Territory of
24 Hawaii, Puerto Rico, and the Virgin Islands. Apportion-
25 ment among the States shall be made on the basis of two

1 factors: ~~(1)~~ The number of children in the State between the
2 ages of five and seventeen, inclusive, and ~~(2)~~ the need for
3 assistance in the State as indicated by the relation of the
4 per capita income in the United States to the per capita
5 income in the State. The amount of the initial appor-
6 tionment to any State shall be determined by the fol-
7 lowing method: First, determine an index for the State
8 by multiplying factors ~~(1)~~ and ~~(2)~~; second, divide this
9 index by the sum of the indices for all the States; and,
10 finally, apply the figure thus obtained to the total funds
11 to be apportioned. For the purpose of this section, the
12 number of children in the State and per capita income
13 figures shall be the latest figures certified by the Department
14 of Commerce. For the purposes of this title, "school" means
15 any public or nonprofit private school of high-school grade or
16 under. If any State cannot utilize all funds so apportioned
17 to it, or if additional funds are available under this title
18 for apportionment among the States, the Secretary shall
19 make further apportionments to the remaining States in
20 the same manner.

21 DIRECT FEDERAL EXPENDITURE

22 SEC. 103. The funds appropriated for any fiscal year
23 for carrying out the provisions of this title, less such amounts
24 as the Congress makes available to the Secretary for his
25 administrative expenses (but not in excess of 3 per centum

1 of the funds appropriated for the purposes of this title) and
2 less the amount apportioned by him among the States pur-
3 suant to section 102 and less the amount allotted to nonprofit
4 child care centers, shall be available to the Secretary during
5 such year for direct expenditure by him for agricultural com-
6 modities and other foods to be distributed among the States
7 and schools participating in the school-lunch program under
8 this title in accordance with the needs as determined by the
9 school authorities. The provisions of law contained in the
10 proviso of the Act of June 28, 1937 (50 Stat. 323), facilitat-
11 ing operations with respect to the purchase and disposition
12 of surplus agricultural commodities under section 32 of the
13 Act approved August 24, 1935 (49 Stat. 774), as amended,
14 shall, to the extent not inconsistent with the provisions of
15 this title, also be applicable to expenditures of funds by the
16 Secretary under this title.

17 PAYMENTS TO STATES

18 SEC. 104. (a) Funds apportioned to any State pur-
19 suant to section 102 during any fiscal year shall be avail-
20 able for payment to such State for disbursement by the
21 State educational agency, in accordance with agreements
22 entered into by the Secretary and such State educational
23 agency, as authorized by the provisions of this title, for the
24 purpose of assisting schools of that State during such fiscal
25 year, in supplying agricultural commodities and other foods

1 for consumption by children in the school-lunch program
2 under this title. Such payments to any State during the
3 fiscal year 1947 shall be made upon condition that each
4 dollar thereof will be matched during each such year by
5 one dollar from sources within the State determined by
6 the Secretary to have been expended in connection with
7 the school-lunch program under this title. Such payments
8 during the fiscal year 1948 shall be made upon condition
9 that each dollar thereof will be so matched by two dollars.
10 Such payments during the fiscal years 1949 and 1950 shall
11 be made upon condition that each dollar thereof will be
12 so matched by three dollars; and for any fiscal year there-
13 after, such payments shall be made upon condition that
14 each dollar will be so matched by four dollars. In
15 the case of any State whose per capita income is less
16 than the per capita income of the United States, the match-
17 ing required for any fiscal year shall be decreased by the
18 percentage which the State per capita income is below the
19 per capita income of the United States. For the purpose
20 of determining whether the matching requirements of this
21 section and section 108 (d), respectively, have been met, the
22 reasonable value of donated services, supplies, facilities, and
23 equipment as certified, respectively, by the State educational
24 agency and, in the case of schools receiving funds pursuant
25 to section 108 (d), by such schools (but not the cost or value

1 of land, of the acquisition, construction, or alteration of build-
2 ings, of commodities donated by the Secretary, or of Fed-
3 eral contributions made pursuant to title II) may be regarded
4 as funds from sources within the State expended in con-
5 nection with the school-lunch program. The Secretary shall
6 certify to the Secretary of the Treasury from time to time
7 the amounts to be paid to any State under this section and
8 the time or times such amounts are to be paid; and the
9 Secretary of the Treasury shall pay to the State at the
10 time or times fixed by the Secretary the amounts so
11 certified.

12 (b) In the event that the total of the funds from
13 sources within the State which may be considered as match-
14 ing funds under this section or section 202 (c) do not
15 completely match, in accordance with the requirements of
16 such sections, the funds apportioned to the State under
17 both titles I and II (and not withheld under section 108
18 (d)), the State educational agency may determine from
19 time to time the application of such funds from sources
20 within the State against the matching requirements of this
21 section and section 202 (c), respectively, except that funds
22 from sources within the State used in connection with schools
23 not participating in the school-lunch program under title I
24 may not be used for matching funds under title I.

STATE DISBURSEMENT TO SCHOOLS

SEC. 105. Funds paid to any State during any fiscal year pursuant to section 104 shall be disbursed by the State educational agency, under such agreements made in accordance with the provisions of this title and approved by the Secretary as may be entered into by such State agency and the schools in the State, to those schools in the State which the State educational agency, taking into account need and attendance, determines are eligible to participate in the school-lunch program under this title. Such disbursement to any school shall be made only for the purpose of reimbursing it for the cost of obtaining agricultural commodities and other foods for consumption by children in the school-lunch program under this title. Such cost may include, in addition to the purchase price of agricultural commodities and other foods, the cost of processing, distributing, transporting, storing, or handling thereof but not the cost of administrative, supervisory, or other personal services incurred in connection with the school-lunch program under this title. In no event shall such disbursement to any school for any fiscal year exceed an amount determined by multiplying the number of lunches served in the school in the school-lunch program under this title during such year by the maximum Federal food cost contribution

1 rate for the State, for the type of lunch served, as prescribed
2 by the Secretary.

3 NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

4 SEC. 106. Lunches served by schools participating in
5 the school-lunch program under this title shall meet mini-
6 mum nutritional requirements prescribed by the Secretary
7 on the basis of tested nutritional research. Such meals shall
8 be served without cost, or at a reduced cost, to children
9 who are determined by local school authorities to be
10 unable to pay the full cost of the lunch. No physical
11 segregation of or other discrimination against any child shall
12 be made by the school because of his inability to pay. School-
13 lunch programs under this title shall be operated on a non-
14 profit basis. Each school shall, insofar as practicable, utilize
15 in its lunch program commodities designated from time to
16 time by the Secretary as being in abundance, either nationally
17 or in the school area, or commodities donated by the Secre-
18 tary. Commodities purchased under the authority of sec-
19 tion 32 of the Act of August 24, 1935 (49 Stat. 774), as
20 amended, may be donated by the Secretary to schools, in
21 accordance with the needs as determined by local school
22 authorities for utilization in the school-lunch program under
23 this title as well as to other schools and institutions now
24 authorized to receive such commodities.

STATE EDUCATIONAL POLICIES PRESERVED

SEC. 107. In carrying out the provisions of this title, neither the Secretary nor the State shall impose any requirement with respect to administration, teaching personnel, curriculum, instruction, methods of instruction, or materials of instruction of any school. No funds made available pursuant to this title shall be paid or disbursed to any State or school if, in carrying out its functions under this title, it makes any discrimination because of race, creed, color, or national origin of children.

MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 108. (a) States, State educational agencies, and schools participating in the school-lunch program under this title shall keep such accounts and records as may be necessary to enable the Secretary to determine whether the provisions of this title are being complied with. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of five years, as the Secretary determines is necessary.

(b) The Secretary shall incorporate, in his agreements with the State educational agencies, the express requirements under this title with respect to the operation of the school-lunch program under this title insofar as they may be

1 applicable and such other provisions as in his opinion are
2 reasonably necessary or appropriate to effectuate the pur-
3 poses of this title.

4 ~~(c)~~ For the purposes of this title, ~~(1)~~ "Secretary"
5 means the Secretary of Agriculture of the United States; ~~(2)~~
6 "State" includes the District of Columbia, Territory of
7 Hawaii, Puerto Rico, Alaska, and the Virgin Islands;
8 ~~(3)~~ "State educational agency" means, as the State legis-
9 lature may determine, ~~(a)~~ the chief State school officer
10 ~~(such as the State superintendent of public instruction, com-~~
11 ~~missioner of education, or similar officer)~~, or ~~(b)~~ a board
12 of education controlling the State department of education;
13 except that in the District of Columbia it shall mean the
14 Board of Education, and except that for the period ending
15 June 30, 1948, "State educational agency" may mean any
16 agency or agencies within the State designated by the gov-
17 ernor to carry out the functions herein required of a State
18 educational agency; and ~~(4)~~ "nonprofit private school"
19 means any private school exempt from income tax under
20 section ~~101~~ ~~(6)~~ of the Internal Revenue Code, as amended.

21 ~~(d)~~ If, in any State, the State educational agency is
22 not permitted by law to disburse the funds paid to it under
23 this title to nonprofit private schools in the State, or is not
24 permitted by law to match Federal funds made available for
25 use by such nonprofit private schools, the Secretary shall

1 withhold from the funds apportioned to any such State
2 under section 102 of this title the same proportion of the
3 funds as the number of children between the ages of five
4 and seventeen, inclusive, attending nonprofit private schools
5 within the State is of the total number of persons of those
6 ages within the State attending school. The Secretary shall
7 disburse the funds so withheld directly to the nonprofit
8 private schools within said State for the same purposes and
9 subject to the same conditions as are authorized or required
10 with respect to the disbursements to schools within the State
11 by the State educational agency including, but not restricted
12 to, the requirement that any such payment or payments shall
13 be matched, in the proportion specified in section 104 for
14 such State, by funds from sources within the State expended
15 by nonprofit private schools within the State participating
16 in the school-lunch program under this title. Such funds
17 shall not be considered a part of the funds constituting the
18 matching funds under the terms of section 104 or section
19 202 (c).

20 (c) The funds apportioned to nonprofit child-care
21 centers shall be disbursed by the Secretary directly to non-
22 profit child-care centers for the same purposes and subject
23 to the same conditions, except the requirements as to the
24 method of apportionment set forth in section 102, as are
25 authorized or required with respect to disbursements to

1 schools within the respective State, including but not being
2 restricted to the requirement that any such payment or
3 payments shall be matched in the proportion specified in
4 section 104 for such State for such year by funds from
5 sources within the respective State expended by nonprofit
6 child-care centers within that State participating in the
7 school-lunch program under this title. The funds from
8 sources within the State expended under this title by such
9 nonprofit child-care centers shall not be considered as a
10 part of the funds, from sources within the State, constituting
11 the matching funds of public schools or nonprofit private
12 schools in that State.

13 ~~(f)~~ The term "child care centers" as used in this title
14 shall include nonprofit foster homes and orphanages.

15 *That this Act may be cited as the "National School Lunch*
16 *Act"*.

17 *DECLARATION OF POLICY*

18 *SEC. 2. It is hereby declared to be the policy of Con-*
19 *gress, as a measure of national security, to safeguard the*
20 *health and well-being of the Nation's children and to en-*
21 *courage the domestic consumption of nutritious agricultural*
22 *commodities and other food, by assisting the States, through*
23 *grants-in-aid and other means, in providing an adequate*
24 *supply of foods and other facilities for the establishment,*

1 maintenance, operation, and expansion of school-lunch and
2 nutrition education programs.

3 *TITLE I—ASSISTANCE IN PROVIDING FOOD*

4 *APPROPRIATIONS AUTHORIZED*

5 *SEC. 101. For each fiscal year, beginning with the fiscal*
6 *year ending June 30, 1947, there is hereby authorized to be*
7 *appropriated, out of money in the Treasury not otherwise*
8 *appropriated, such sums as may be necessary, not exceeding*
9 *\$100,000,000, to enable the Secretary of Agriculture (here-*
10 *inafter referred to as "the Secretary") to carry out the pro-*
11 *visions of this title.*

12 *APPORTIONMENTS TO STATES*

13 *SEC. 102. The Secretary shall apportion among the*
14 *States during each fiscal year not less than 75 per centum*
15 *of the funds appropriated for such year for carrying out*
16 *the provisions of this title, except that the total of such*
17 *apportionment of funds for use in Alaska, Territory of*
18 *Hawaii, Puerto Rico, and the Virgin Islands shall not exceed*
19 *\$3,000,000. Apportionment among the States shall be*
20 *made on the basis of two factors: (1) The number of school*
21 *children in the State and (2) the need for assistance in the*
22 *State as indicated by the relation of the per capita income*
23 *in the United States to the per capita income in the State.*
24 *The amount of the initial apportionment to any State shall*

1 be determined by the following method: First, determine
2 an index for the State by multiplying factors (1) and (2);
3 second, divide this index by the sum of the indices for all
4 the States; and, finally, apply the figure thus obtained to
5 the total funds to be apportioned. For the purpose of this
6 section, the number of school children in the State shall
7 be the number of children therein between the ages of five
8 and seventeen, inclusive; such figures and per capita income
9 figures shall be the latest figures certified by the Depart-
10 ment of Commerce. For the purposes of this title, "school"
11 means any public or nonprofit private school of high-school
12 grade or under and, with respect to Puerto Rico, shall also
13 include nonprofit child-care centers certified as such by the
14 Governor of Puerto Rico. If any State cannot utilize all
15 funds so apportioned to it, or if additional funds are available
16 under this title for apportionment among the States, the
17 Secretary shall make further apportionments to the remaining
18 States in the same manner.

19 DIRECT FEDERAL EXPENDITURE

20 SEC. 103. The funds appropriated for any fiscal year
21 for carrying out the provisions of this title, less not to exceed
22 4 per centum thereof hereby made available to the Secretary
23 for his administrative expenses and less the amount appor-
24 tioned by him among the States pursuant to section 102,
25 shall be available to the Secretary during such year for

1 *direct expenditure by him for agricultural commodities and*
2 *other foods to be distributed among the States and schools*
3 *participating in the school-lunch program under this title.*
4 *The provisions of law contained in the proviso of the Act*
5 *of June 28, 1937 (50 Stat. 323), facilitating operations*
6 *with respect to the purchase and disposition of surplus agri-*
7 *cultural commodities under section 32 of the Act approved*
8 *August 24, 1935 (49 Stat. 774), as amended, shall, to*
9 *the extent not inconsistent with the provisions of this title,*
10 *also be applicable to expenditures of funds by the Secretary*
11 *under this title.*

12 *PAYMENTS TO STATES*

13 *SEC. 104. (a) Funds apportioned to any State pursuant*
14 *to section 102 during any fiscal year shall be available for*
15 *payment to such State for disbursement by the State educa-*
16 *tional agency, in accordance with such agreements not in-*
17 *consistent with the provisions of this Act, as may be entered*
18 *into by the Secretary and such State educational agency,*
19 *for the purpose of assisting schools of that State during*
20 *such fiscal year, in supplying agricultural commodities and*
21 *other foods for consumption by children in the school-lunch*
22 *program under this title. Such payments to any State in*
23 *any fiscal year during the period 1947 to 1950, inclusive,*
24 *shall be made upon condition that each dollar thereof will*
25 *be matched during such year by \$1 from sources within*

1 the State determined by the Secretary to have been
2 expended in connection with the school-lunch program under
3 this title. Such payments in any fiscal year during the
4 period 1951 to 1955, inclusive, shall be made upon condition
5 that each dollar thereof will be so matched by one and
6 one-half dollars; and for any fiscal year thereafter, such
7 payments shall be made upon condition that each dollar
8 will be so matched by \$3. In the case of any State
9 whose per capita income is less than the per capita in-
10 come of the United States, the matching required for any
11 fiscal year shall be decreased by the percentage which the
12 State per capita income is below the per capita income of
13 the United States. For the purpose of determining whether
14 the matching requirements of this section and section 108
15 (d), respectively, have been met, the reasonable value of
16 donated services, supplies, facilities, and equipment as certi-
17 fied, respectively, by the State educational agency and in
18 case of schools receiving funds pursuant to section 108 (d), by
19 such schools (but not the cost or value of land, of the acqui-
20 sition, construction, or alteration of buildings, of commodities
21 donated by the Secretary, or of Federal contributions made
22 pursuant to title II) may be regarded as funds from sources
23 within the State expended in connection with the school-lunch
24 program. The Secretary shall certify to the Secretary of the
25 Treasury from time to time the amounts to be paid to any

1 State under this section and the time or times such amounts
 2 are to be paid; and the Secretary of the Treasury shall pay
 3 to the State at the time or times fixed by the Secretary
 4 the amounts so certified.

5 (b) In the event that funds from sources within the
 6 State do not completely match, in accordance with the
 7 requirements of this Act, the funds apportioned to the
 8 State under both titles I and II (and not withheld under
 9 sec. 108 (d)), the State educational agency may deter-
 10 mine from time to time the application of funds from
 11 sources within the State against the matching requirements
 12 of the respective titles, except that funds from sources
 13 within the State used in connection with schools not par-
 14 ticipating in the school-lunch program under title I may
 15 not be used for matching funds under title I.

16 STATE DISBURSEMENT TO SCHOOLS

17 SEC. 105. Funds paid to any State during any fiscal
 18 year pursuant to section 104 shall be disbursed by the State
 19 educational agency, in accordance with such agreements
 20 approved by the Secretary as may be entered into by such
 21 State agency and the schools in the State, to those schools
 22 in the State which the State educational agency, taking
 23 into account need and attendance, determines are eligible to
 24 participate in the school-lunch program under this title.

1 Such disbursement to any school shall be made only for the
2 purpose of reimbursing it for the cost of obtaining agricul-
3 tural commodities and other foods for consumption by chil-
4 dren in the school-lunch program under this title. Such
5 cost may include, in addition to the purchase price of agri-
6 cultural commodities and other foods, the cost of processing,
7 distributing, transporting, storing, or handling thereof but
8 not the cost of administrative, supervisory, or other personal
9 services incurred in connection with the school-lunch pro-
10 gram under this title. In no event shall such disbursement
11 to any school for any fiscal year exceed an amount deter-
12 mined by multiplying the number of lunches served in the
13 school in the school-lunch program under this title during
14 such year by the maximum Federal food-cost contribution
15 rate for the State, for the type of lunch served, as prescribed
16 by the Secretary.

17 NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

18 SEC. 106. Lunches served by schools participating in
19 the school-lunch program under this title shall meet minimum
20 nutritional requirements prescribed by the Secretary on the
21 basis of tested nutritional research. Such meals shall be
22 served without cost to children who are determined by local
23 school authorities to be unable to pay. No physical segre-
24 gation of or other discrimination against any child shall be
25 made by the school because of his inability to pay. School-

1 lunch programs under this title shall be operated on a non-
2 profit basis. Each school shall, insofar as practicable, utilize
3 in its lunch program commodities designated from time to
4 time by the Secretary as being in abundance, either nationally
5 or in the school area, or commodities donated by the Secre-
6 tary. Commodities purchased under the authority of sec-
7 tion 32 of the Act of August 24, 1935 (49 Stat. 774), as
8 amended, may be donated by the Secretary to schools for
9 utilization in the school-lunch program under this title as
10 well as to other schools carrying out nonprofit school-lunch
11 programs.

12 STATE EDUCATIONAL POLICIES PRESERVED

13 SEC. 107. In carrying out the provisions of this title,
14 neither the Secretary nor the State shall impose any re-
15 quirement with respect to instruction or teaching personnel.
16 No funds made available pursuant to this title shall be paid
17 or disbursed to any State or school if, in carrying out its
18 functions under this title, it makes any discrimination be-
19 cause of race, creed, color, or national origin of children
20 or between types of schools or, with respect to a State which
21 maintains separate schools for minority and for majority
22 races, it discriminates between such schools on this account.

23 MISCELLANEOUS PROVISIONS AND DEFINITIONS

24 SEC. 108. (a) States, State educational agencies, and
25 schools participating in the school-lunch program under

1 *this title shall keep such accounts and records as may be*
2 *necessary to enable the Secretary to determine whether*
3 *the provisions of this title are being complied with. Such*
4 *accounts and records shall at all times be available for in-*
5 *spection and audit by representatives of the Secretary and*
6 *shall be preserved for such period of time, not in excess of*
7 *five years, as the Secretary determines is necessary.*

8 *(b) The Secretary shall incorporate, in his agreements*
9 *with the State educational agencies, the express require-*
10 *ments under this title with respect to the operation of the*
11 *school-lunch program under this title insofar as they may*
12 *be applicable and such other provisions as in his opinion are*
13 *reasonably necessary or appropriate to effectuate the pur-*
14 *poses of this title.*

15 *(c) For the purposes of this title, (1) "Secretary of*
16 *Agriculture", during the existence of the War Food Ad-*
17 *ministration, shall mean the War Food Administrator; (2)*
18 *"State" includes the District of Columbia, Territory of Ha-*
19 *waii, Puerto Rico, Alaska, and the Virgin Islands; and*
20 *(3) "State educational agency" means, as the State legis-*
21 *lature may determine, (a) the chief State school officer*
22 *(such as the State superintendent of public instruction,*
23 *commissioner of education, or similar officer), or (b) a*
24 *board of education controlling the State department of edu-*
25 *cation; except that in the District of Columbia it shall mean*

1 *the Board of Education, and except that for the period end-*
2 *ing June 30, 1947, "State educational agency" may mean*
3 *any agency or agencies within the State designated by the*
4 *Governor to carry out the functions herein required of a*
5 *State educational agency; and (4) "nonprofit private school"*
6 *means any private school exempt from income tax under*
7 *section 101 (6) of the Internal Revenue Code, as amended.*
8 . . . (d) *If, in any State, the State educational agency is*
9 *not permitted by law to disburse the funds paid to it under*
10 *this title to nonprofit private schools in the State, or is not*
11 *permitted by law to match Federal funds made available*
12 *for use by such nonprofit private schools, the Secretary shall*
13 *withhold from the funds apportioned to any such State*
14 *under section 102 of this title the same proportion of the*
15 *funds as the number of children between the ages of five*
16 *and seventeen, inclusive, attending nonprofit private schools*
17 *within the State is of the total number of persons of those*
18 *ages within the State attending school. The Secretary shall*
19 *disburse the funds so withheld directly to the nonprofit private*
20 *schools within said State for the same purposes and subject*
21 *to the same conditions as are authorized or required with*
22 *respect to the disbursements to schools within the State by*
23 *the State educational agency including the requirement*
24 *that any such payment or payments shall be matched, in the*
25 *proportion specified in section 104 for such State, by funds*

1 from sources within the State expended by nonprofit private
2 schools within the State participating in the school-lunch
3 program under this title. Such funds shall not be considered
4 a part of the funds constituting the matching funds under
5 the terms of section 104 or section 202 (c).

6 TITLE II—ASSISTANCE IN PROVIDING NU-
7 TRITION EDUCATION AND SCHOOL-LUNCH
8 FACILITIES

9 APPROPRIATIONS AUTHORIZED

10 SEC. 201. For each fiscal year, beginning with the fiscal
11 year ending June 30, 1947, there is hereby authorized
12 to be appropriated, out of any money in the Treasury not
13 otherwise appropriated, such sums as may be necessary,
14 not exceeding \$15,000,000, to enable the United States
15 Commissioner of Education (hereinafter referred to as the
16 "Commissioner"), under the supervision and direction of
17 the Federal Security Administrator, to carry out the pro-
18 visions of this title.

19 APPORTIONMENT AND PAYMENT TO STATES

20 SEC. 202. (a) The Commissioner shall apportion among
21 the States during each fiscal year the funds appropriated
22 for such year for carrying out the provisions of this title,
23 less not to exceed \$175,000 thereof hereby made available
24 to enable the Commissioner to carry out his functions under
25 this title. Such apportionment shall be made in accordance

1 with the provisions of section 102 governing the initial ap-
2 portionment of funds to the States under title I, except that
3 the apportionment to any State under this title shall not
4 be less than \$10,000, and except that the apportionment of
5 funds for use in Alaska, Territory of Hawaii, Puerto Rico,
6 and the Virgin Islands shall not exceed \$450,000.

7 (b) From the funds apportioned to it under subsection
8 (a) for a fiscal year, each State having a plan approved
9 under this title shall be entitled to be paid an amount,
10 limited as provided in subsection (c), which shall be used
11 by the State educational agency, either directly or through
12 grants to schools and school systems, to establish, maintain,
13 operate, and expand school-lunch programs, to provide related
14 nutrition education, and to provide and train technical and
15 supervisory personnel and to provide equipment and facilities
16 for such programs; except that such funds may not be used
17 for the acquisition, construction, or alteration of buildings
18 or for the purchase of land or food.

19 (c) Funds apportioned to a State pursuant to subsection
20 (a) during any fiscal year shall be available for payment to
21 the State only upon condition that such funds will be matched
22 during such year, in the proportion specified in section 104
23 for such State for such year, by expenditures from sources
24 within the State which are either expenditures specified in
25 section 104 (a) or expenditures for the purposes for which

1 funds paid to the State under this title may be used, not
 2 counting funds excluded from section 104 by the last sentence
 3 of section 108 (d) and expenditures which the State educa-
 4 tional agency has applied against the matching requirements
 5 of section 104.

6 (d) The amount to which each State is entitled under
 7 subsection (b) for each quarter, beginning with the quarter
 8 commencing July 1, 1946, shall be computed and paid in the
 9 following manner:

10 The Commissioner shall, prior to the beginning of each
 11 quarter, estimate the amount to be paid to the State for
 12 such quarter under the provisions of subsection (b). He
 13 shall then certify to the Secretary of the Treasury the amount
 14 so estimated, reduced or increased as the case may be, by any
 15 sum by which he finds that his estimate for any prior quarter
 16 was greater or less than the amount which the State was
 17 entitled to be paid for such quarter. Upon receipt of such
 18 certification the Secretary of the Treasury shall, prior to audit
 19 or settlement by the General Accounting Office, pay in ac-
 20 cordance with such certification from the funds apportioned
 21 to such State under subsection (a).

22 STATE PLANS

23 SEC. 203. (a) In order to be approved a State plan
 24 for the administration of school-lunch programs must—

25 (1) provide that the plan shall be administered,

1 *or that its administration shall be supervised, by the*
2 *State educational agency;*

3 *(2) provide that funds paid to the State under this*
4 *title will be used solely for carrying out the purposes*
5 *of section 202 (b) and that the amount of such funds*
6 *spent during any fiscal year for administration and*
7 *supervision by the State educational agency shall not*
8 *exceed 15 per centum of the funds apportioned to such*
9 *State for such year under this title;*

10 *(3) provide that the distribution to schools of funds*
11 *paid to the State under this title, and equipment pur-*
12 *chased with such funds, shall be only to public schools*
13 *and school systems of high-school grade or under (in-*
14 *cluding nonprofit private schools of high-school grade or*
15 *under which receive public funds from the State or any*
16 *school system thereof for payment of teachers' salaries),*
17 *which undertake to furnish school lunches under agree-*
18 *ments pursuant to title I or which, in the case of schools*
19 *which do not have such agreements, satisfy the State*
20 *educational agency that they will furnish school lunches*
21 *on a nonprofit basis and in accordance with standards*
22 *determined by the State educational agency to be con-*
23 *sistent with standards, for nutritional adequacy of school-*
24 *lunch programs, established by the United States De-*
25 *partment of Agriculture;*

1 (4) provide that any school or school system receiv-
2 ing funds under the plan shall serve meals without cost
3 to children who are determined by local school authorities
4 to be unable to pay, and shall make no physical segrega-
5 tion or other discrimination against any child because
6 of his inability to pay;

7 (5) contain provisions, if the State maintains sep-
8 arate schools for minority and for majority races, neces-
9 sary to assure a just and equitable distribution within
10 the State, for the benefit of such minority races, of funds
11 paid to it under this title;

12 (6) provide that the State educational agency will
13 make such reports, in such form and containing such
14 information, as the Commissioner may from time to
15 time require.

16 (b) The Commissioner shall approve any State plan
17 which he determines complies with the provisions of sub-
18 section (a).

19 OPERATION OF STATE PLANS

20 SEC. 204. Whenever the Commissioner, after reason-
21 able notice and opportunity for hearing to the State educa-
22 tional agency, finds that with respect to money paid to the
23 State under this title there is a failure to comply sub-
24 stantially with any provision required by section 203 (a)
25 to be included in the plan, the Commissioner shall notify

1 such State agency that further payments will not be made
 2 to the State until he is satisfied that there is no longer any
 3 such failure to comply. Until he is so satisfied the Com-
 4 missioner shall make no further certification for payment
 5 to such State. Within thirty days from the decision of the
 6 Commissioner to withhold funds under this section the State
 7 educational agency shall have the right to appeal therefrom
 8 to a United States district court having jurisdiction over
 9 cases arising in such State, or in a part of such State,
 10 and such court shall have jurisdiction as to both fact and law.

11 ADMINISTRATION

12 SEC. 205. In carrying out his functions under this title,
 13 the Commissioner shall take all necessary measures to fa-
 14 cilitate the promotion of adequate school-lunch programs
 15 and related nutrition education by States.

16 DEFINITIONS

17 SEC. 206. As used in this title:

18 (a) The term "State" includes the District of Columbia,
 19 Territory of Hawaii, Puerto Rico, Alaska, and the Virgin
 20 Islands;

21 (b) The term "State educational agency" means, as
 22 the State legislature may determine, (1) the chief State
 23 school officer (such as the State superintendent of public
 24 instruction, commissioner of education, or similar officer),
 25 or (2) a board of education controlling the State department

1 of education; except that in the District of Columbia it shall
 2 mean the Board of Education;

3 (c) The term "minority race" means any race or
 4 racial group that constitutes a minority of the population
 5 of the continental United States;

6 (d) A just and equitable distribution of the funds pro-
 7 vided under this title for the benefit of a minority race in
 8 a State which maintains by law separate educational facili-
 9 ties for such minority race, means any plan of distribution
 10 which results in the expenditure, for the benefit of such
 11 minority race, of a proportion of said funds not less than
 12 the proportion that each such minority race in such State
 13 bears to the total population of that State.

Passed the House of Representatives February 21, 1946.

Attest:

SOUTH TRIMBLE,

Clerk.

Passed the Senate with an amendment February 26
 (legislative day, January 18), 1946.

Attest:

LESLIE L. BIFFLE,

Secretary.

AN ACT

To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 1946

Ordered to be printed with the amendment of the
Senate

from 15% to 25%; (8) disallowance of \$10,000,000, or about one-half of Budget increase, for expansion of forest highway work; (9) disallowance of \$1,500,000 of the \$3,899,276 increase requested for white pine blister rust control, the cut being applicable to work on State and privately owned lands; (10) cuts in BAE Budget estimates, principally under the "economic investigations" item where all Budget increases were disallowed and, in addition, a cut of \$454,500 below 1946. Language was inserted prohibiting maintenance of regional offices and the conduct of social surveys; (11) increase of \$1,000,000 above Budget for the purchase of equipment by SCS from government surplus for loan and grant to conservation districts; (12) disallowance of the proposed \$479,000 increase for aerial photography and mapping on national forests, and \$50,000 of the proposed increase of \$100,000 for forest recreational areas; (13) increase of \$480,000 above Budget for establishing 16 additional experimental forests; (14) disallowance of increases totaling \$346,292 for payments to States for agricultural experiment stations; (15) reduction of \$500,000 (from \$5,000,000 to \$4,500,000, which is \$116,965 below 1946) in REA administrative expenses. The Committee also inserted language prohibiting use of REA administrative funds for processing or approving any loan unless the loan application contains certain stipulations with respect to bids received by borrowers for contractual work; (16) reduction of estimate for water facilities loans in arid and semiarid areas by \$500,000, to bring it down to the level of expected current year loan funds; (17) disallowance of all but one of several increases, totaling \$110,000, in ARA and BAE, for research studies of problems relating to agriculture in Alaska, with provision of \$20,000 in lieu thereof to enable ARAdministrator to make "exploratory investigations" in Alaska as a basis for further recommendations in the 1948 Budget; (18) insertion of language under the Office of the Secretary, the effect of which is to require the operation of only one warehouse inspection service in the Department, the funds therefor to be transferred, consolidated, expended, and accounted for as a single fund; and (19) restoration of language in connection with employment under the item "Loans, grants, and rural rehabilitation," thereby again rendering funds under that head not available for paying the compensation of any person appointed in accordance with the civil-service laws.

2. SCHOOL LUNCH BILL. Reps. Flannagan, Cooley, Zimmerman, Pace, Hope, Kinzer, and Andresen were appointed conferees on this bill, H. R. 3370 (p. 1759). Senate conferees were appointed February 26.
3. HOUSING. Continued debate on the Patman housing bill, H. R. 4761, which provides for price control and subsidies on housing (pp. 1767-83).
4. NARCOTICS. Received the conference report on H. R. 2348, to cover certain drugs under the narcotic laws (p. 1783). The conferees agreed to the Senate amendment to make it possible for millers to produce hemp fiber from the hemp plant without incurring liability for the tax which is imposed upon transfers of marihuana.
5. RURAL ELECTRIFICATION. Rep. Savage, Wash., spoke in favor of an investigation of "lobbying" against REA and TVA by the electric companies (pp. 1784-7).
6. TRANSPORTATION INVESTIGATION. The Rules Committee reported without amendment H. Res. 318, to direct the Interstate and Foreign Commerce Committee to investigate the transportation situation with a view to recommending legislation that will result in a consistent public policy fair to all competing agencies of transport, to the using and investing public, and to labor, to the end that the country's commerce may be moved with the greatest degree of economy, safety, and dispatch (H. Rept. 1660)(pp. 1758-9).
7. SALARY APPROPRIATIONS. Received from the President a proposed revision for this Department of the appropriation estimates included in H. Doc. 437 pursuant to Public Law 106, the Federal Employees Pay Act (H. Doc. 487). To Appropriations Committee. (p. 1790.)
8. BONNEVILLE REPORT. Received from the Interior Department a report and financial statement of the Bonneville Administrator covering the transmission and sale of electric energy for the fiscal year 1945.. To Rivers and Harbors Committee. (p. 1790.)
9. EMPLOYEES' COMPENSATION COMMISSION report received. To Judiciary Committee. (p. 1790.)
10. APPROPRIATION RESCISSIONS. The Appropriations Committee reported H. R. 5604, the second supplemental surplus appropriation rescission bill, 1946 (H. Rept. 1671)(p. 1790). The bill includes the following items: Emergency supplies for territories and possessions, U. S. D. A., \$5,000,000 (Budget estimate was \$2,500,000); Office of Fishery Coordination, Interior, \$12,000; Office of Scientific Research and Development, \$555,000; lend-lease, \$1,080,000,000, to be deducted from such of the categories as may be determined by the State Department; Employees' Compensation Commission, \$1,300,000; FWA community facilities, \$5,750,000; emergency safeguarding of public buildings and property, \$75,000; construction of public buildings outside D. C., \$15,662,600; construction of public buildings in and near D. C., \$1,500,000; contract authorization for construction of buildings in D. C., \$3,673,001.

The Committee report states: "While the total of rescissions made and now proposed is prodigious, the committee believes that it may be appreciably added to and intends to conduct another inquiry before the close of the fiscal year..."

11. SUBSIDIES. Passed as reported H. J. Res. 301, to authorize payment of subsidies for 1946 programs (for provisions, see Digest 33)(pp. 1734-43). Agreed, 44-33, to the amendment providing for meat and flour subsidies (pp. 1742-3).
12. URGENT DEFICIENCY APPROPRIATION BILL. Debated this bill, H. R. 5453, which contains the \$100,000,000 item for REA (pp. 1743-52). Agreed, 44-30, to the committee amendment reducing the amount for CPA (pp. 1744-50). Agreed, 45-25, to the committee amendment reducing the amount for OPA (pp. 1750-2).
13. FISH. Received Calif. Assembly resolutions urging a survey of Pacific fisheries and development of tuna fishing (p. 1730).
HOUSING.
14. FARM MACHINERY; Received a Calif. Assembly resolution urging that farm machinery, implements, and housing be made available (p. 1730).
15. FORESTRY INVESTIGATION. Received a Calif. Assembly memorial recommending an investigation of the Forest Service (p. 1731).
16. SCHOOL LUNCH PROGRAM. Sen. Capper, Kans., inserted an American Dietetic Association letter favoring H. R. 3370, the school lunch bill (p. 1731).
17. NARCOTICS. Agreed to the conference report on H. R. 2348 (see item 4)(p. 1743).
18. HOUSING. Sen. McFarland, Ariz., spoke in favor of various amendments to S. 1592, the Wagner-Ellender-Taft housing bill (pp. 1752-5).
19. ADJOURNED until Fri., Mar. 1 (p. 1756).

BILLS INTRODUCED

20. WOOL; IMPORTS. S. 1874, by Sen. Robertson, Wyo., to increase and stabilize the U. S. domestic wool production and to further stabilize the importation of raw wool from foreign countries. To Agriculture and Forestry Committee. (p. 1732.)
21. SURPLUS PROPERTY. H. R. 5608, by Rep. Poage, Tex., relating to the disposition of certain surplus property located outside the U. S. To Expenditures in the Executive Departments Committee. (p. 1790.)
- H. R. 5610, by Rep. Rizley, Okla., relating to the disposition of certain surplus property located outside the U. S. To Expenditures in the Executive Departments Committee. (p. 1790.)

ITEMS IN APPENDIX

22. HOUSING. Rep. Patman, Tex., inserted newspaper editorials favoring his housing bill, H. R. 4761, including provisions for subsidies for new housing and price ceilings on existing houses (pp. A1069, A1070-1, A1076).
- Extension of remarks of Rep. Patterson, Calif., favoring the Patman housing bill (p. A1066).
- Rep. Rogers, Mass., inserted Mrs. McLean's press statement favoring H. R. 5576, to establish priorities for veterans in purchasing surplus property suitable for residential purposes (pp. A1067-8).
- Rep. Sadowski, Mich., inserted a Detroit (Mich.) News editorial favoring the Wyatt housing plan (p. A1071).
23. PRICE CONTROL. Extension of remarks of Rep. Gillie, Ind., favoring the continuation of price control and including constituents' letters urging the continuation (pp. A1053-4).
- Rep. Patman, Tex., inserted Director John W. Snyder's (War Mobilization and Reconversion) statement before the H. Banking and Currency Committee urging the extension of the Emergency Price Control Act (pp. A1071-3).
24. ST. LAWRENCE WATERWAY. Rep. Sabath, Ill., inserted Mayor Kelly's (Chicago) statement before the S. Foreign Relations Committee urging approval of this project (pp. A1073-4).

COMMITTEE HEARINGS RELEASED BY G.P.O.

25. URGENT DEFICIENCY APPROPRIATION BILL, 1946, H. R. 5458. Senate Appropriations Committee.
26. AGRICULTURE APPROPRIATION BILL, 1947, H. R. 5605. House Appropriations Committee. See item 1.
27. SECOND APPROPRIATION RESCISSION BILL, 1946, H. R. 5604. House Appropriations Committee.

COMMITTEE HEARINGS ANNOUNCEMENTS for Feb. 28: S. Foreign Relations, St. Lawrence waterway; S. Agriculture, clothing shortage; S. Banking and Currency, housing bill (ex.); S. Commerce, science bill (ex.); H. Appropriations, deficiency (ex.); H. Agriculture, Cooley farm-credit bill (ex.); H. Banking and Currency, OPA extension; H. Civil Service, Federal pay bill; H. D. C., anti-dog research; H. Expenditures, surplus property (Royall); H. Insular Affairs, Philippine rehabilitation (ex.); H. Merchant Marine, fish; H. Ways and Means, social security.

California, including the Redwood Highway area, which includes a large portion of Humboldt, Mendocino, and Del Norte Counties; and

"Whereas the creation of new national parks in counties which depend to a large measure on the lumber and sawmill industry would remove areas of valuable land from the county tax rolls and reduce the revenues of such counties, and tend to impair their financial structure: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States that no more national parks be established in the forested areas of California, especially those areas containing large redwood forests; and be it further

"Resolved, That the secretary of the senate be directed to transmit copies of this resolution to the President of the United States, the President pro tempore of the Senate, the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Assembly of the State of California; to the Committee on Public Lands and Surveys:

"House Resolution 114

"Resolution relative to the investigation of the United States Forest Service

"Whereas the United States Forest Service has undertaken a general program of reducing the number of livestock on forest ranges, and has reduced permitted numbers as much as 60 percent in some areas and has eliminated livestock from some ranges entirely; and

"Whereas the method used by the Forest Service in determining the extent of the cuts and effecting them are arbitrary, dictatorial, and inconsiderate of the interests of the permittees whose homes and lifetime investments are at stake; and

"Whereas it is vital to the stability of the livestock industry and to the food supply of the Nation that forest permittees have the right to a fair and impartial adjudication of the issues arising between them and the United States Forest Service, and that such permittees be given more security of tenure so that they may plan their livestock operations intelligently: Now, therefore, be it

"Resolved by the Assembly of the State of California, That the Assembly of the State of California hereby memorializes the Congress of the United States to make a thorough investigation of the United States Forest Service and the basis of its policies for the purpose of enacting legislation which would prevent the aforementioned evils and limit the Service to the performance of administrative functions; and be it further

"Resolved, That the chief clerk of the assembly shall transmit copies of this resolution to the President of the United States, the Presiding Officers of each House of the Congress, and to the Senators and Representatives in the Congress from California."

STABILIZATION OF AMERICAN ECONOMY—RESOLUTION OF HUTCHINSON (KANS.) TEACHERS' ASSOCIATION

Mr. CAPPER. Mr. President, I have received a resolution adopted by the Hutchinson (Kans.) Teachers' Association urging the Government to maintain a stabilized economy so as to avoid inflation during postwar years and keep the cost of living under control. I ask unanimous consent to present the resolution, and that it be referred to the Committee on Banking and Currency and printed in the RECORD.

There being no objection, the resolution was received, referred to the Com-

mittee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Resolution commending the Federal Government for its efforts to maintain a stabilized economy and urging further action to avoid inflation during postwar years

Whereas living costs have been partially held in check during the war years; and

Whereas many powerful forces are now exerting extreme pressure on the Government to remove restrictions on inflation; and

Whereas many millions of workers can never hope to secure salary increases fast enough to catch up in a race with inflation: Therefore be it

Resolved by the Hutchinson Teachers' Association of Hutchinson, Kans., That suitable agencies and individuals of the United States Government be highly commended for their heroic efforts to keep the cost of living under control while the war was being fought; and be it further

Resolved, That suitable agencies and individuals of the United States Government be urged to stabilize our economy and exert every effort to avoid further inflation during the postwar years.

GOLDA CRAWFORD,
President, Hutchinson Teachers'
Association, Hutchinson, Kans.

SCHOOL-LUNCH PROGRAM—LETTER FROM PRESIDENT OF AMERICAN DIETETIC ASSOCIATION

Mr. CAPPER. Mr. President, I have received a letter from Bessie Brooks West, president of the American Dietetic Association, Manhattan, Kans., praying for enactment of Senate bill 962, known as the school-lunch bill, for which I voted yesterday. I ask unanimous consent to present the letter and that it be appropriately referred and printed in the RECORD.

There being no objection, the letter was received, ordered to lie on the table, and to be printed in the RECORD, as follows:

THE AMERICAN DIETETIC ASSOCIATION,
February 11, 1946.

Senator ARTHUR CAPPER,

United States Senate, Washington, D. C.

DEAR SENATOR CAPPER: The American Dietetic Association is giving its hearty support to bills S. 962 and H. R. 3370 for the following reasons:

1. There is a need for legislation providing for a permanent school-lunch program.

2. This permanent program should make provision for proper supervision and adequate nutritional education.

3. There should be cooperation on the Federal level between the Department of Agriculture and the Office of Education directed toward intelligent coordination of activity. Likewise, provisions should be made for cooperation and coordination on the State level. Otherwise, political implications arise which tend to obscure the whole point of the program as it reaches State levels.

4. A strong and independent division within the Department of Agriculture should be established to direct this important assignment. This division should be staffed with individuals having adequate training to assume the responsibility of a program directed toward improving and maintaining the nutritional well-being of American school children.

5. Provisions for coordination and cooperation between the United States Department of Agriculture and the Office of Education are essential for the sort of program desired by this group.

In addition to the immeasurable benefits that this legislation will mean to the children of our Nation, it will also be an aid to the

farmer by providing an orderly distribution of his farm products. You may recall that in 1945, the United States Department of Agriculture reported a total expenditure of \$89,547,160 for food, estimated on the basis of contractual requirements contained in agreements between the War Food Administration and school-lunch-program sponsors.

When S. 962 is considered by the Senate, it is my hope that you will vote in favor of its passage.

Sincerely yours,

BESSIE BROOKS WEST,
President, American Dietetic Association.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LANGER, from the Committee on Indian Affairs:

S. 1305. A bill to confer jurisdiction on the State of North Dakota over offenses committed by or against Indians on the Devils Lake Indian Reservation; without amendment (Rept. No. 997).

By Mr. MORSE, from the Committee on Claims:

S. 1591. A bill to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of Guy F. Allen, chief disbursing officer; without amendment (Rept. No. 998);

H. R. 1090. A bill for the relief of Mrs. Margaret McWilliams; without amendment (Rept. No. 999);

H. R. 2008. A bill for the relief of the village of Cold Spring, Minn.; with an amendment (Rept. No. 1009);

H. R. 2748. A bill for the relief of the Dubuque & Wisconsin Bridge Co.; without amendment (Rept. No. 1000); and

H. R. 3224. A bill for the relief of Mrs. Lionel Comeaux and New Orleans Public Service, Inc.; without amendment (Rept. No. 1001).

By Mr. ELLENDER, from the Committee on Claims:

S. 1504. A bill for the relief of Edith Roberta Moore; with an amendment (Rept. No. 1003);

H. R. 3904. A bill for the relief of Haymond C. Campbell; with an amendment (Rept. No. 1004); and

H. R. 4269. A bill for the relief of Ida Barger, Hazel A. Beecher, Etta Clark, Jesse Ruth France, John W. Nolan, Anna Palubicki, and Frank J. Schrom; without amendment (Rept. No. 1002).

By Mr. EASTLAND, from the Committee on Claims:

H. R. 3012. A bill for the relief of George W. Murrell and Kirby Murrell, a minor; with an amendment (Rept. No. 1005).

By Mr. HUFFMAN, from the Committee on Claims:

S. 1609. A bill for the relief of Catherin Gilbert; with an amendment (Rept. No. 1007);

S. 1627. A bill for the relief of Mrs. Isabel N. Miffin; with an amendment (Rept. No. 1008); and

S. 1840. A bill for the relief of the Danvers Shoe Co., Inc.; without amendment (Rept. No. 1006).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Utah:

S. 1869. A bill to amend the Pay Readjustment Act of 1942, as amended, so as to provide an increase of 20 percent, and for other purposes; to the Committee on Military Affairs.

By Mr. MAGNUSON:

S. 1870. A bill to authorize the appointment as Foreign Service officers of persons who

have served honorably in the armed forces of the United States during World War II but are now precluded from such appointment by reason of certain citizenship requirements; to the Committee on Foreign Relations.

By Mr. WALSH:

S. 1871. A bill to authorize the conveyance of a parcel of land at the Naval Supply Depot, Bayonne, N. J., to the American Radiator & Standard Sanitary Corp.; and

S. 1872. A bill to provide for the rank of original appointments in the Corps of Civil Engineers of the United States Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. HART:

S. 1873. A bill granting the consent of Congress to the State of Connecticut, acting by and through any agency or commission thereof, to construct, maintain, and operate a toll bridge across the Connecticut River at or near Old Saybrook, Conn.; to the Committee on Commerce.

By Mr. ROBERTSON:

S. 1874. A bill to increase and stabilize the United States domestic wool production and to further stabilize the importation of raw wool from foreign countries; to the Committee on Agriculture and Forestry.

By Mr. PEPPER:

S. 1875. A bill to authorize and request the President to undertake to mobilize at some convenient place in the United States an adequate number of the world's outstanding experts, and coordinate and utilize their services in a supreme endeavor to discover means of curing and preventing cancer; to the Committee on Foreign Relations.

NATIONAL HOUSING POLICY— AMENDMENT

Mr. MURDOCK (for himself and Mr. WAGNER) submitted an amendment intended to be proposed by them, jointly, to the bill (S. 1592) to establish a national housing policy and provide for its execution, which was referred to the Committee on Banking and Currency and ordered to be printed.

WAR DEPARTMENT CIVIL APPROPRIATION BILL, 1947—AMENDMENT

Mr. PEPPER submitted an amendment intended to be proposed by him to the bill (H. R. 5400) making appropriations for the fiscal year ending June 30, 1947, for civil functions administered by the War Department, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows: On page 6, line 16, strike out the figure "\$97,883,250" and insert in lieu thereof the following: "\$158,578,650, or such portion thereof as the Chief of Engineers may estimate can be economically expended during the fiscal year ending June 30, 1947, and in accordance with his recommendations to Congress."

MARINE INSURANCE ON CERTAIN UNITED STATES EXPORTATIONS

Mr. RADCLIFFE submitted the following concurrent resolution (S. Con. Res. 57), which was referred to the Committee on Banking and Currency:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that any loan made by the Export-Import Bank of Washington or any other instrumentality of the Government for the purchase of United States products for exportation, or any part of which may be used for such purchase, should be conditioned upon an agreement by the borrower that any marine insurance placed on such

products shall be placed in the United States with companies lawfully doing business in one or more of the States, unless the Maritime Commission, after investigation, shall certify to the lending instrumentality that such insurance with respect to the particular products involved is not available in the United States at reasonable rates and on reasonable terms and conditions.

ADDRESS BY SENATOR MYERS AT ANNUAL FOUNDER'S DAY DINNER OF THE GENERAL ALUMNI ASSOCIATION OF TEMPLE UNIVERSITY

[Mr. MYERS asked and obtained leave to have printed in the RECORD an address delivered by him at the annual founder's day dinner of the General Alumni Association of Temple University, Philadelphia, February 15, 1946, which appears in the Appendix.]

WASHINGTON'S BIRTHDAY ADDRESS BY SENATOR MAYBANK

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an address delivered by him on February 22, 1946, before the Washington Light Infantry, at Charleston, S. C., which appears in the Appendix.]

UNITED NATIONS ORGANIZATION—ADDRESS BY SENATOR PEPPER BEFORE INDEPENDENT VOTERS OF ILLINOIS

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address delivered by him before the Independent Voters of Illinois, at Chicago, Ill., on June 20, 1945, on the subject of the United Nations Organization, which appears in the Appendix.]

INTERNATIONAL EXCHANGE OF STUDENTS—EDITORIAL COMMENT

[Mr. FULBRIGHT asked and obtained leave to have printed in the RECORD an article entitled "Idea for Friendship," written by William Philip Simms and published in the Washington Daily News of February 26, 1946, and an editorial entitled "Student Exchange," published in the Washington Post on February 19, 1946, on the subject of international exchange of students, which appear in the Appendix.]

LABOR UNIONS IN THE NATIONAL ECONOMIC PICTURE—EDITORIAL FROM WABASH PLAIN DEALER

[Mr. WILLIS asked and obtained leave to have printed in the RECORD an editorial entitled "Is This Paper Against Unions?" published in the Wabash Plain Dealer, which appears in the Appendix.]

CARL SCHURZ AND THE REBIRTH OF GERMANY

Mr. WILEY. Mr. President, I derive inspiration from many lives of the past. We all have our personal friends in history—philosophers, statesmen, poets, men of the church. In our own history Washington, Lincoln, Webster, Hamilton, Jefferson, Beecher, and many others, have contributed to my little store of knowledge.

When a boy I became interested in an American by the name of Carl Schurz. March 2, 1946, will mark the one hundred and seventeenth anniversary of the birth of this great American, a great German-American.

In anticipation of this anniversary, I should like to say a few words about a subject which would be dear to the heart of this great statesman—the rebirth of Germany along the lines of progress, peace, and her true, illustrious culture.

This is a subject dear to the hearts of all Americans of German descent, men and women who have made an indispensable contribution to the economic, polit-

ical, and social life of our beloved Nation. It is a subject also of vital interest to every American who respects the Germany of culture and science.

It is particularly appropriate to consider the redirection of the great German talents along peaceful lines at this time when:

(a) There is grave concern as to the adequacy of administration of the American-occupied zone of Germany with its 15,000,000 souls.

(b) There is concern for the well-being of the stricken population of all of Germany and Austria in the present food crisis.

(c) There is anxiety over the conflicting policies of Russia, England, France, and the United States with regard to the rebirth of Germany.

I know, Mr. President, that in even daring to raise these issues, I shall be attacked in certain quarters as being everything from a Germanophile to a Nazi-lover.

Recently I have been in correspondence with our American authorities in Germany on behalf of adequate relief there. For my efforts, I have been subject to sneering attacks from several sources, particularly those who have hysterically alleged some mystic biologic condition in the German people which makes them eternal enemies of mankind.

Mr. President, in listening today to our distinguished associate [Mr. VANDENBERG], I am sure we were all impressed by the realization that the great United Nations Organization cannot and will not be a success unless there is back of it the great peoples of earth with the will, the desire, the purpose, and the vision to cooperate. That is true of the 70,000,000 Germans who need to be reborn. That is the problem.

MY POSITION ON GERMANY

Let me deny these base accusations against myself and against this people who have given so much that is good and true and helpful to the arts, the sciences, and all phases of humanity's endeavor.

My whole purpose in raising this subject is this:

To make certain that we and our allies do everything possible to help the German people to help themselves, to get them back on their feet, so that they can make their vital, peaceful contribution to Europe and to the world.

Because I am concerned with food conditions in Germany does not mean that I am one bit less concerned with food conditions among those who fought alongside us in the war just concluded.

Because I am anxious to see Germany make peaceful contributions to the world does not mean that I am one bit less anxious to see that Germany never again takes up the sword.

It is on this basis that I have urged that the members of the Voluntary Relief Committee which recently toured Germany be invited to testify before the appropriate Senate committee on the facts regarding food conditions there.

It is on this basis that I am now awaiting a reply from Gen. Mark W. Clark on food conditions in Austria.

It is on this basis that I shall continue to point out the strengths and

such assistants, experts, and employees, as it deems necessary in the performance of its duties under this resolution.

(b) The committee is authorized to utilize the services, information, facilities, and personnel of the departments and agencies of the Federal Government.

Sec. 4. The committee shall, from time to time, in its discretion, make such preliminary report or reports to the House of Representatives as it deems desirable; and shall, during the present Congress, report to the House the results of its investigation and study and submit its recommendations.

EXTENSION OF REMARKS

Mr. PATMAN asked and was given permission to extend his remarks in the RECORD in four instances; one, to insert an advertisement by the Lumber Retail Dealers of Jacksonville, Fla., endorsing the Wyatt housing bill; two, a statement by John W. Snyder, Director of War Mobilization and Reconversion, before the Committee on Banking and Currency, today on the extension of the Price Control and Stabilization Act; three, an editorial from the New York Herald Tribune of yesterday, February 26, 1946, endorsing the housing program; four, a radio speech delivered by me last night over the Columbia Broadcasting System.

SCHOOL-LUNCH PROGRAM

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes; with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Virginia. [After a pause.] The Chair hears none and appoints the following conferees: Messrs. FLANNAGAN, COOLEY, ZIMMERMAN, PACE, HOPE, KINZER, and AUGUST H. ANDRESEN.

PERMISSION TO ADDRESS THE HOUSE

Mrs. DOUGLAS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from California?

There was no objection.

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mrs. DOUGLAS of California. Mr. Speaker, Congress has written a blank check—giving unlimited powers to a superfluous committee called the Un-American Activities Committee—which itself is coming to be known for acts which are thoroughly un-American.

Why—because no committee, no group of men in or out of government should be vested with such power as we have given this committee.

The root of the trouble is not one of personalities; rather it is a too sweeping delegation of power—a power so vast that it would take a committee of Holmeses and Brandises to use that power and still preserve the constitutional liberties guaranteed every American person.

Is it to be wondered that its employees feel free to run wild and in any direc-

tion? They are encouraged to do so by action of this House.

The blank check is being used to attack innocent people, to vilify them, frighten and intimidate them. And I tell you the righteous indignation of the American public is rising.

What is the result of this? Individuals and groups suffer—certainly.

But who suffers most?

Congress itself suffers most.

QUESTION OF PERSONAL PRIVILEGE

Mr. RANKIN. Mr. Speaker, a point of order. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state the ground of the question of personal privilege.

Mr. RANKIN. The Member from California [Mrs. DOUGLAS], who has just left the floor, has repeated almost verbatim the attacks made on the Committee on Un-American Activities by William Z. Foster, head of the Communist Party, and by doing so has questioned the integrity of the members of that committee, and in that way violated the rules of the House.

The SPEAKER. What is the gentleman's question of personal privilege?

Mr. RANKIN. The question of personal privilege is this: That the Member who has just spoken attacked a committee of this House of which I am a member, and attacked the members of that committee, reflected on the integrity of the members of that committee by misrepresentations that are calculated to bring the members of that committee and the committee itself into disrepute.

The SPEAKER. The gentleman's remedy was to ask that the words be taken down at the time they were uttered. The Chair does not believe he can establish a precedent in the House of permitting Members to rise to a question of personal privilege because some Member has criticized the Member or a committee of this House. The Chair is compelled to hold that the gentleman does not state a question of personal privilege.

Mr. RANKIN. Mr. Speaker, with all deference, I appeal from the ruling of the Chair, and I ask to be heard on the appeal.

Mr. McCORMACK. Mr. Speaker, I move that the appeal be laid on the table.

Mr. RANKIN. The gentleman is too late.

Mr. HOFFMAN. Mr. Speaker, I raise the point of order that a quorum is not present.

The SPEAKER. The gentleman from Massachusetts [Mr. McCORMACK] was within his right in moving that the appeal be laid on the table.

Mr. HOFFMAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

Mr. RANKIN. I will take on the gentleman from Massachusetts on this issue whenever he wants.

Mr. McCORMACK. And I will answer the gentleman from Mississippi any time.

The SPEAKER. The gentlemen will both take their seats. Both gentlemen are out of order.

Mr. SABATH. Mr. Speaker, I ask that the words of the gentleman from Mississippi be taken down.

The SPEAKER. A call of the House has been ordered.

The Clerk will call the roll.

CALL OF THE HOUSE

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 34]

Arends	Fisher	Norrell
Baldwin, Md.	Gathings	Peterson, Ga.
Baldwin, N. Y.	Gifford	Quinn, N. Y.
Beall	Gwinn, N. Y.	Rains
Bloom	Harless, Ariz.	Randolph
Boykin	Hobbs	Reed, N. Y.
Byrne, N. Y.	Holmes, Mass.	Rivers
Cannon, Fla.	Hook	Robertson,
Case, S. Dak.	Hope	N. Dak.
Chapman	Jarman	Robinson, Utah
Chenoweth	Judd	Sasser
Chiperfield	Keefe	Schwabe, Mo.
Cole, Kans.	Kelley, Pa.	Simpson, Pa.
Colmer	Kelly, Ill.	Slaughter
Courtney	Kerr	Sumners, Tex.
Curley	Kirwan	Taylor
Daughton, Va.	Landis	Tibbott
Dawson	McConnell	Vinson
Doughton, N. C.	McGlinchey	Walter
Eberharter	McGregor	Wasielewski
Engel, Mich.	Mahon	Weaver
Feighan	Murphy	Winter
Fernandez	Murray, Tenn.	Wood

The SPEAKER. On this roll call, 360 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

UN-AMERICAN ACTIVITIES

Mr. RANKIN. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. Mr. Speaker, I am going to make a point of order. Therefore I ask unanimous consent to withdraw my appeal from the ruling of the Chair in order that I may proceed with the point of order.

Mr. MARCANTONIO. We have not heard the request, Mr. Speaker.

Mr. COCHRAN. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to withdraw his appeal from the ruling of the Chair.

Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state the point of order.

Mr. RANKIN. On February 19 the gentleman from Illinois [Mr. SABATH] extended his remarks in the RECORD in which he reflected on the Committee on Un-American Activities, and I will proceed to read his statement.

The Committee on Un-American Activities, Mr. Speaker, is a committee of this House.

Mr. SABATH. Mr. Speaker, a point of order.

The SPEAKER. The gentleman from Mississippi is stating a point of order.

Mr. SABATH. I have risen for the purpose of raising a point of order because, if the gentleman is going to quote from my letter which I placed in the CONGRESSIONAL RECORD, I urge that the entire letter be read.

Mr. RANKIN. I am not trying to pander to the wants of the Member from Illinois.

The SPEAKER. The gentleman will proceed.

Mr. RANKIN. This committee of Congress that is struggling to try to protect this Government, to save this Republic and our American way of life, that is being attacked by the enemies of this Nation, the Communist party, as I showed a while ago, and being maligned and slandered on this floor, still has some rights, Mr. Speaker, that the American people recognize.

In the first place the gentleman from Illinois [Mr. SABATH] wrote his own headline, and on that headline he used these words: "The House Un-American Committee."

That is the Communist line, Mr. Speaker, that is being followed by these enemies of our country, in their attacks on the Committee on Un-American Activities.

Mr. SABATH. Mr. Speaker, a point of order. I ask that the gentleman's words be taken down, Mr. Speaker.

The SPEAKER. The gentleman from Illinois asks that the words of the gentleman from Mississippi be taken down.

Mr. RANKIN. All right.

The SPEAKER (after a pause). The Chair has some words before him.

Mr. RANKIN. May we have them read?

The SPEAKER. They do not mean a great deal if they are not taken in connection with something else and the "else" is not in the statement that the Chair has before him. The Chair has before him this:

Mr. RANKIN. That is the Communist line, Mr. Speaker, that is being followed by these enemies of our country in their attacks on the Committee on Un-American Activities.

Mr. SABATH. He has reference to me.

The SPEAKER. Did the gentleman from Mississippi have reference to the gentleman from Illinois [Mr. SABATH]?

Mr. RANKIN. I was trying to tell the House that he is using the line "the un-American committee" that is used in the Communist Daily Worker and every other Communist publication and used by every individual Communist who attacks us throughout the country.

Let the chips fall where they may.

The SPEAKER. Was the gentleman from Mississippi referring to the gentleman from Illinois?

Mr. RANKIN. Now, Mr. Speaker, my words are plain.

The SPEAKER. But the Chair has the right to interrogate the gentleman from Mississippi.

Mr. RANKIN. I repeat what I said: This is the Communist line being used by Communist publications and Communists throughout the country to attack the committee.

Mr. SABATH. Again I ask that the words be taken down.

The SPEAKER. The Chair asks the gentleman—

Mr. RANKIN. Why, certainly not. I was merely calling attention to what was inserted in the RECORD in violation of the rules of the House.

The SPEAKER. The gentleman from Mississippi denies he was referring to the gentleman from Illinois, and the Chair therefore holds that the words complained of were not unparliamentary.

Mrs. DOUGLAS of California. Mr. Speaker, a point of order. I would like to know if the gentleman from Mississippi was referring to me in those words?

The SPEAKER. The gentleman from Mississippi can reply to that.

The Chair was under the impression he was talking about remarks that had been formerly made by the gentleman from Illinois.

Mr. RANKIN. I cannot cover the whole field. I answered her attack on the committee a while ago. I will refer to a statement which was inserted in a 1-minute speech a little while ago which, in my opinion, violates the rules of the House.

The SPEAKER. That is not in controversy right now. The gentleman can certainly answer "Yes" or "No" as to whether he was referring to the gentleman from California.

Mr. RANKIN. Mr. Speaker, it comes with poor grace from Members of the House to come on this floor and put such stuff as this into the RECORD and then when we get on the Communist Party they get up and want to know if we are referring to them.

Mr. SABATH. You are making more Communists every day than anybody else.

The SPEAKER. Just a moment. Will the gentleman from Mississippi answer the question propounded by the gentleman from California?

Mr. RANKIN. Mr. Speaker, I was not referring—

Mr. THOMAS of New Jersey. Mr. Speaker, a point of order.

The SPEAKER. The Chair has the floor right now. The Chair is trying his best to straighten this out if possible.

The gentleman from Mississippi was asked to answer a question.

Mr. RANKIN. I was referring only to those Communists, those enemies of our country, who are trying to undermine and destroy our form of government, destroy our way of life, destroy our Christian civilization; and I was not referring to any individual in this House.

The SPEAKER. The Chair thinks that is an answer to the question.

Mr. RANKIN. Mr. Speaker, if Members of this House want to get in on it, I cannot help that.

The SPEAKER. The gentleman from Mississippi will state his point of order.

Mr. RANKIN. Mr. Speaker, I am trying to do that, and I am trying to do it in as plain terms as I know how.

As I pointed out in the beginning, the Member from Illinois, Mr. ADOLPH SABATH, on Tuesday, February 19, 1946, inserted in the CONGRESSIONAL RECORD an attack on the Committee on Un-American Activities, a committee set up by the House to investigate those organizations and individuals who are attempting to

undermine and destroy this Government. In doing so he used these words, and there is a heading: "The House Un-American Committee."

That is the same line that is being used in the Communist publications throughout the country, that is the same line that is being used by William Z. Foster, the head of the Communist Party.

Mr. GALLAGHER. Mr. Speaker, will the gentleman yield for a question?

Mr. RANKIN. No; not now.

Mr. GALLAGHER. I thought not.

The SPEAKER. The gentleman declines to yield. The Chair trusts the gentleman will state his point of order pretty soon.

Mr. RANKIN. Mr. Speaker, that is one of them.

The SPEAKER. What point of order has the gentleman stated?

Mr. RANKIN. Mr. Speaker, I am referring to the point of order that this entire statement violates the rules of the House, and if my point of order is sustained I am going to move to strike it from the RECORD. But I want to call the attention of the Chair to some other statements that are contained in this extension of remarks.

To show that this was no accident, the Member from Illinois [Mr. SABATH] makes this statement down in his extension of remarks which, of course, he did not quote on the floor of the House. He says:

That is why, Mr. Speaker, I have been shocked by the revelations made in recent weeks regarding the procedures of the Un-American Committee and the attitudes of its staff.

That is twice that that Communist line has been used. It is being used in every Communist publication, by every Communist speaker, to malign and smear the Committee on Un-American Activities. It is being used every day by this same man, William Z. Foster, who uttered the following statement:

No Communist, no matter how many votes he should secure in a national election, could ever, if he would, become President of the present Government.

That means the Government of the United States.

When a Communist heads the Government of the United States—

He says—

and that day will come just as surely as the sun rises, the Government will not be a capitalistic government but a soviet government, and behind that government will stand the Red army to enforce the dictatorship of the proletariat.

Mr. Speaker, what more dangerous doctrine can anyone imagine?

Mr. SABATH. Mr. Speaker, a point of order.

The SPEAKER. What is the gentleman's point of order?

Mr. SABATH. Mr. Speaker, the gentlemen is not reading from my letter on the point of order on which he has obtained the floor and on which he has asked and requested the floor. He is reading something by a man by the name of William Z. Foster, whom I never knew, whom I do not know today. I do not

May
20

CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Legislative Reports and Service Section
(For Department staff only)

Issued May 21, 1946
For actions of May 20, 1946
79th-2nd, No. 94

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HIGHLIGHTS: House received conference report on school-lunch bill; provides unlimited appropriation authorization, authorizes \$10,000,000 a year to USDA for non-food assistance. House received conference report on bill to extend Farm Bankruptcy Act until Mar. 31, 1947. House passed bill to provide 2-year statute of limitations regarding U.S. laws for which specific statute has not been enacted. Rep. Curtis introduced bill to extend for 7 months time during which alcohol plants may produce sugars and sirups; Senate committee has reported companion bill.

HOUSE

- SCHOOL-LUNCH BILL.** Received the conference report on this bill, H. R. 3370 (pp. 5405-7). The conference agreement does not provide any specific limitation on the sums to be appropriated; deletes all reference to nonprofit child-care centers except with respect to Puerto Rico; provides that the total of the apportionment of funds for the territories and possessions shall not exceed 3% of the funds appropriated for foods, provides for apportionment among the States of not less than 75% of the funds made available for foods; makes \$10,000,000 available to the Secretary (out of the sum appropriated each year) for non-food assistance; limits administrative expenses to 3½%; provides for State matching on the bases of \$1 for \$1 during the fiscal years 1947 through 1950, \$1 for \$1.50 from 1951 through 1955, and \$1 for \$3 thereafter; changes the discrimination provision so as to provide that, in instances where a State maintains separate schools for minority and majority races, no funds made available pursuant to the bill shall be paid to a State unless a just and equitable distribution is made for minority races. Otherwise the bill follows the House version.
- SURPLUS PROPERTY.** Rep. Rees, Kans., said there has been "unnecessary waste of war surplus automobiles and equipment" (p. 5380).
- STRATEGIC MATERIALS.** The Rules Committee reported a resolution for consideration of S. 752, to authorize purchase of strategic and critical materials for national defense (p. 5381).
- CREDIT UNIONS.** Passed without amendment H. R. 6372, to amend the Federal Credit Union Act so as to provide penalties for over-charging of interest, permit

issuance of shares in joint tenancy, give the boards more latitude regarding bonds of officers, liberalize the limitation on amount of loans, etc. (p. 5385).

5. STATUTE OF LIMITATIONS. Passed with amendments H. R. 2788, which limits the time during which action may be brought for recovery of wages, penalties, or other damages pursuant to any U. S. law and for which a specific statute of limitation has not been provided (pp. 5389-405). Agreed to amendments by Rep. Hobbs, Ala., to provide for a limit of 2 years (instead of 1, as provided in the committee bill) (pp. 5404-5), and by Rep. Kefauver, Tenn., to provide that this bill shall not apply to actions in which the Government is plaintiff (p. 5404).
6. FARM BANKRUPTCY. Received the conference report on H. R. 5504, to extend the Farm Bankruptcy Act until Mar. 31, 1947 (p. 5407). The Senate agreed to this report May 17.
7. INDIAN CLAIMS. Passed H. R. 4497, to create an Indian Claims Commission, which authorizes the Commission to call upon any Government department for "any information it may deem necessary" (pp. 5408-24).

SENATE

8. SUGAR; ALCOHOL. Reported (May 17) without amendment S. J. Res. 162, to extend 7 months (until Feb. 1, 1947) the period during which alcohol plants are permitted to produce sugar or sirup (S. Rept. 1361).
9. LABOR. Continued debate on H.R. 4908, to provide additional facilities for the mediation of labor disputes (pp. 5347-76). During the debate Sens. Pepper (Fla.) and Ellender (La.) discussed the possibility of increasing wages without necessarily increasing the cost of the commodities, and Sen. Pepper claimed that we have not given OPA sufficient personnel and funds to enforce regulations against the black market (pp. 5373-4).
10. ELECTRIFICATION. Received a National Reclamation Association resolution protesting against appropriating \$23,323,000 for the Interior Department for continuing the Southwestern Power Administration (p. 5344).
11. MEAT SHORTAGE. Sen. Hickenlooper, Iowa, inserted a N.Y. Times editorial recognizing the fact that a large percentage of the nation's beef is going into the black market at the retail level and that it is unlikely that OPA will be able to recover control of the situation (p. 5345).
12. FOREIGN RELIEF. Received an American Academy of Arts and Sciences resolution favoring an increase in the amount of wheat, milk, and fats for shipment to Europe and Asia (p. 5344).
13. PRICE CONTROL. Received Iowa, N.Y., and Mass. citizens' petitions urging the continuation of the OPA without crippling amendments (pp. 5344-5).
14. HOUSING; EDUCATION. The Education and Labor Committee reported without amendment H.R. 5796, to amend the National Defence Housing Act so as to authorize contributions for the maintenance and operation of certain school facilities (p. 5345).
15. RFC REPORTS. Received reports of RFC activities for Feb. 1946; RFC small business activities, Feb. and Mar. 1946; and Smaller War Plants Corporation, Jan. 28-31, 1946 (p. 5344).

Page 2, line 12, strike out the numeral "2" and insert "3". On that I ask for recognition.

Mr. GWYNNE of Iowa. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. GWYNNE of Iowa. I make the point of order against the amendment offered by the gentleman from New York [Mr. CELLER] that it is an amendment in the third degree.

Mr. CELLER. Mr. Chairman, I withdraw the amendment, and I offer a substitute amendment that on page 2, line 12, the word "one" be stricken out and the word "three" be inserted.

Mr. GWYNNE of Iowa. Mr. Chairman, I make the same point of order against the amendment now offered by the gentleman from New York.

The CHAIRMAN. The same point of order would apply. The Chair sustains the point of order.

Mr. KEFAUVER. Mr. Chairman, I offer an amendment to the amendment.

Mr. GWYNNE of Iowa. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GWYNNE of Iowa. Does the gentleman offer an amendment to the amendment?

The CHAIRMAN. Yes.

The Clerk read as follows:

Amendment offered by Mr. KEFAUVER: Page 2, line 12, strike out "1 year" and insert "5 years."

Mr. GWYNNE of Iowa. Mr. Chairman, I make the same point of order.

The CHAIRMAN. The Chair sustains the point of order.

The question is on the amendment offered by the gentleman from Alabama [Mr. HOBBS] to the committee amendment.

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 71, noes 20.

So the amendment to the committee amendment was agreed to.

Mr. CELLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. Is it in order now to strike out the word "two", in line 12, on page 2, and insert the word "three"? If it is parliamentarily proper, I shall offer that as an amendment.

The CHAIRMAN. Such an amendment is not now in order.

The question is on the committee amendment as amended.

The committee amendment as amended was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GRANGER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 2788) to amend title 28 of the United States Code in regard to the limitations of certain actions, and for other purposes, pursuant to House Resolution 394, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read: "A bill to limit the time during which certain actions under the laws of the United States may be brought."

A motion to reconsider was laid on the table.

Mr. HOBBS. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks in the Record on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

SCHOOL-LUNCH PROGRAMS

Mr. FLANNAGAN submitted the following conference report and statement on the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this Act may be cited as the 'National School Lunch Act'."

"DECLARATION OF POLICY

"SEC. 2. It is hereby declared to be the policy of Congress, as a measure of national security, to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the States, through grants-in-aid and other means, in providing an adequate supply of foods and other facilities for the establishment, maintenance, operation, and expansion of nonprofit school-lunch programs.

"APPROPRIATIONS AUTHORIZED

"SEC. 3. For each fiscal year, beginning with the fiscal year ending June 30, 1947, there is hereby authorized to be appropriated, out of money in the Treasury not otherwise appropriated, such sums as may be necessary to enable the Secretary of Agriculture (hereinafter referred to as 'the Secretary') to carry out the provisions of this Act.

"APPORTIONMENT TO STATES

"SEC. 4. The sums appropriated for any fiscal year pursuant to the authorization contained in section 3 of this Act, excluding the sum specified in section 5, shall be available to the Secretary for supplying, during such fiscal year, agricultural commodities

and other foods for the school-lunch program in accordance with the provisions of this Act. The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the aforesaid funds made available for such year for supplying agricultural commodities and other foods under the provisions of this Act, except that the total of such apportionments of funds for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for agricultural commodities and other foods for the school-lunch program. Apportionment among the States shall be made on the basis of two factors: (1) The number of school children in the State and (2) the need for assistance in the State as indicated by the relation of the per capita income in the United States to the per capita income in the State. The amount of the initial apportionment to any State shall be determined by the following method: First, determine an index for the State by multiplying factors (1) and (2); second, divide this index by the sum of the indices for all the States; and, finally, apply the figure thus obtained to the total funds to be apportioned. For the purpose of this section, the number of school children in the State shall be the number of children therein between the ages of five and seventeen, inclusive; such figures and per capita income figures shall be the latest figures certified by the Department of Commerce. For the purposes of this Act, 'school' means any public or nonprofit private school of high-school grade or under and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico. If any State cannot utilize all funds so apportioned to it, or if additional funds are available under this Act for apportionment among the States, the Secretary shall make further apportionments to the remaining States in the same manner.

"SEC. 5. Of the sums appropriated for any fiscal year pursuant to the authorization contained in section 3 of this Act, \$10,000,000 shall be available to the Secretary for the purpose of providing, during such fiscal year, nonfood assistance for the school-lunch program pursuant to the provisions of this Act. The Secretary shall apportion among the States during each fiscal year the aforesaid sum of \$10,000,000, and such apportionment among the States shall be on the basis of the factors, and in accordance with the standards, set forth in section 4 with respect to the apportionment for agricultural commodities and other foods. The total of such funds apportioned for nonfood assistance for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for nonfood assistance in accordance with the provisions of this Act.

"DIRECT FEDERAL EXPENDITURE

"SEC. 6. The funds appropriated for any fiscal year for carrying out the provisions of this Act, less not to exceed 3 1-2 per centum thereof hereby made available to the Secretary for his administrative expenses and less the amount apportioned by him pursuant to sections 4, 5, and 10, shall be available to the Secretary during such year for direct expenditure by him for agricultural commodities and other foods to be distributed among the States and schools participating in the school-lunch program under this Act in accordance with the needs as determined by the local school authorities. The provisions of law contained in the proviso of the Act of June 28, 1937 (50 Stat. 323), facilitating operations with respect to the purchase and disposition of surplus agricultural commodities under section 32 of the Act approved August 24, 1935 (49 Stat. 774), as amended, shall, to the extent not inconsistent with the provisions of this Act, also be applicable to expenditures of funds by the Secretary under this Act.

"PAYMENT TO STATES

"SEC. 7. Funds apportioned to any State pursuant to section 4 or 5 during any fiscal year shall be available for payment to such State for disbursement by the State educational agency, in accordance with such agreements not inconsistent with the provisions of this Act, as may be entered into by the Secretary and such State educational agency, for the purpose of assisting schools of that State during such fiscal year, in supplying (1) agricultural commodities and other foods for consumption by children and (2) nonfood assistance in furtherance of the school-lunch program authorized under this Act. Such payments to any State in any fiscal year during the period 1947 to 1950, inclusive, shall be made upon condition that each dollar thereof will be matched during such year by \$1 from sources within the State determined by the Secretary to have been expended in connection with the school-lunch program under this Act. Such payments in any fiscal year during the period 1951 to 1955, inclusive, shall be made upon condition that each dollar thereof will be so matched by one and one-half dollars; and for any fiscal year thereafter, such payments shall be made upon condition that each dollar will be so matched by \$3. In the case of any State whose per capita income is less than the per capita income of the United States, the matching required for any fiscal year shall be decreased by the percentage which the State per capita income is below the per capita income of the United States. For the purpose of determining whether the matching requirements of this section and section 10, respectively, have been met, the reasonable value of donated services, supplies, facilities, and equipment as certified, respectively, by the State educational agency and in case of schools receiving funds pursuant to section 10, by such schools (but not the cost or value of land, of the acquisition, construction, or alteration of buildings, of commodities donated by the Secretary, or of Federal contributions), may be regarded as funds from sources within the State expended in connection with the school-lunch program. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this section and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

"STATE DISBURSEMENT TO SCHOOLS

"SEC. 8. Funds paid to any State during any fiscal year pursuant to section 4 or 5 shall be disbursed by the State educational agency, in accordance with such agreements approved by the Secretary as may be entered into by such State agency and the schools in the State, to those schools in the State which the State educational agency, taking into account need and attendance, determines are eligible to participate in the school-lunch program. Such disbursement to any school shall be made only for the purpose of reimbursing it for the cost of obtaining agricultural commodities and other foods for consumption by children in the school-lunch program and nonfood assistance in connection with such program. Such food costs may include, in addition to the purchase price of agricultural commodities and other foods, the cost of processing, distributing, transporting, storing, or handling thereof. In no event shall such disbursement for food to any school for any fiscal year exceed an amount determined by multiplying the number of lunches served in the school in the school-lunch program under this Act during such year by the maximum Federal food-cost contribution rate for the State, for the type of lunch served, as prescribed by the Secretary.

"NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

"SEC. 9. Lunches served by schools participating in the school-lunch program under

this Act shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost or at a reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the lunch. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay. School-lunch programs under this Act shall be operated on a nonprofit basis. Each school shall, insofar as practicable, utilize in its lunch program commodities designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or commodities donated by the Secretary. Commodities purchased under the authority of section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in the school-lunch program under this Act as well as to other schools carrying out nonprofit school-lunch programs and institutions authorized to receive such commodities.

"SEC. 10. If, in any State, the State educational agency is not permitted by law to disburse the funds paid to it under this Act to nonprofit private schools in the State, or is not permitted by law to match Federal funds made available for use by such nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under sections 4 and 5 of this Act the same proportion of the funds as the number of children between the ages of five and seventeen, inclusive, attending nonprofit private schools within the State is of the total number of persons of those ages within the State attending school. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within said State for the same purposes and subject to the same conditions as are authorized or required with respect to the disbursements to schools within the State by the State educational agency, including the requirement that any such payment or payments shall be matched, in the proportion specified in section 7 for such State, by funds from sources within the State expended by nonprofit private schools within the State participating in the school-lunch program under this Act. Such funds shall not be considered a part of the funds constituting the matching funds under the terms of section 7.

"MISCELLANEOUS PROVISIONS AND DEFINITIONS

"SEC. 11. (a) States, State educational agencies, and schools participating in the school-lunch program under this Act shall keep such accounts and records as may be necessary to enable the Secretary to determine whether the provisions of this Act are being complied with. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of five years, as the Secretary determines is necessary.

"(b) The Secretary shall incorporate, in his agreements with the State educational agencies, the express requirements under this Act with respect to the operation of the school-lunch program under this Act insofar as they may be applicable and such other provisions as in his opinion are reasonably necessary or appropriate to effectuate the purposes of this Act.

"(c) In carrying out the provisions of this Act, neither the Secretary nor the State shall impose any requirement with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction in any school. If a State maintains separate schools for minority and for majority races, no funds made available pursuant to this Act shall be paid or disbursed to it unless a just and equitable distribution is made within the State, for the benefit of such minority races, of funds paid to it under this Act.

"(d) For the purposes of this Act—

"(1) 'State' includes any of the forty-eight States and the District of Columbia, Territory of Hawaii, Puerto Rico, Alaska, and the Virgin Islands.

"(2) 'State educational agency' means, as the State legislature may determine, (a) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (b) a board of education controlling the State department of education; except that in the District of Columbia it shall mean the Board of Education, and except that for the period ending June 30, 1943, 'State educational agency' may mean any agency or agencies within the State designated by the Governor to carry out the functions herein required of a State educational agency.

"(3) 'Nonprofit private school' means any private school exempt from income tax under section 101 (6) of the Internal Revenue Code, as amended.

"(4) 'Nonfood assistance' means equipment used on school premises in storing, preparing, or serving food for school children."

And the Senate agree to the same.

J. W. FLANNAGAN,
CLIFFORD R. HOPE,
STEPHEN FACE,
AUG. H. ANDRESEN,
ORVILLE ZIMMERMAN,
HAROLD COOLEY,

Managers on the Part of the House.

RICHARD B. RUSSELL,
J. H. BANKHEAD,
ARTHUR CAPPER,
ALLEN J. ELLENDER,
GEORGE D. AIKEN,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment strikes out all of the House bill after the enacting clause. The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment, and that the Senate agree to the same.

The conference agreement differs in the following respects from the bill as it passed the House.

The House bill authorized, in section 101, an appropriation of not more than \$50,000,000 for each fiscal year to enable the Secretary of Agriculture to carry out the provisions of the act. The conference substitute (sec. 3) does not provide any specific limitation on the sums to be appropriated, but authorizes the appropriation of such sums as may be necessary to enable the Secretary to effectuate the provisions of the act.

The House bill authorized, in sections 102 and 108 (e), the expenditure of not in excess of 2 percent of the funds appropriated for use directly in nonprofit child-care centers. There has been deleted from the conference substitute all reference to nonprofit child-care centers except with respect to Puerto Rico. Instead of the House bill limitation of \$1,500,000 of the funds made available by the act for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands, the conference substitute provides that the total of the apportionment of funds for use in Alaska and said Territories shall not exceed 3 percent of the funds appropriated for agricultural commodities and other foods for school-lunch programs.

The House bill provided, in section 102, that not less than 75 percent of the funds appropriated for each fiscal year shall be apportioned among the States for such year for carrying out the provisions of the act. The conference substitute provides for the apportionment among the States during each fiscal year of not less than 75 percent of the funds made available for such year for supplying agricultural commodities and other foods. The funds available for supplying agricultural commodities and other foods are all sums appropriated except the \$10,000,000 specified in section 5 for nonfood assistance.

The conference substitute adds a section (sec. 5) which makes available \$10,000,000 to the Secretary out of the sum appropriated for any fiscal year pursuant to the act for the purpose of providing nonfood assistance for the school-lunch program. This sum is to be apportioned among the States on the basis of factors, and in accordance with the standards, applicable to the apportionment of funds available for the supplying of agricultural commodities and other foods. The total of such funds apportioned for nonfood assistance for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands is not to exceed 3 percent of the funds appropriated for nonfood assistance. Nonfood assistance is defined in the conference substitute as equipment used on school premises in storing, preparing, or serving food for school children.

The House bill limited, in section 103, the amount for administrative expenses of the secretary to 3 percent of the funds appropriated for any fiscal year for the purposes of the act. The conference agreement (sec. 6) increases the maximum for administrative expenses to 3½ percent.

Section 104 (a) of the House bill provided for payments to be made to States conditioned upon the respective State's matching the grant, during each year, from sources within the State according to the following ratio:

Fiscal year 1947, \$1 for \$1.
Fiscal year 1948, \$1 for \$2.
Fiscal years 1949 and 1950, \$1 for \$3.
Thereafter, \$1 for \$4.

The conference agreement (sec. 7) prescribes that the matching provisions shall be in accordance with the following ratio:

Fiscal years 1947 to 1950, inclusive, \$1 for \$1.
Fiscal years 1951 to 1955, inclusive, \$1 for \$1.50.

Thereafter, \$1 for \$3.

Section 104 (b) of the bill as it passed the House provided, with respect to the matching requirements, that in the event the total of the funds from sources within the State, which may be considered as matching funds, do not completely match the Federal apportionments, the State educational agency may determine the application of such funds from sources within the State against the matching requirements with the exception that funds from sources within the State used in connection with schools not participating in the school-lunch program may not be so used. That language of section 104 (b) was included in view of the provisions in title II of the original bill introduced in the House. Title II was, however, not included in the bill as passed by the House. The conference substitute eliminates the provisions in section 104 (b).

Section 107 of the bill as it passed the House precluded the payment or disbursement of funds to any State or school if, in carrying out its functions under the act, it makes any discrimination because of race, creed, color, or national origin of children. The conference agreement (sec. 11 (c)) changed this restriction so as to provide, in instances where a State maintains separate schools for minority and for majority races, that no funds made available pursuant to the

act shall be paid or disbursed to the State unless a just and equitable distribution is made within the State, for the benefit of such minority races, of funds paid to it under the act.

J. W. FLANNAGAN, Jr.,
CLIFFORD R. HOPE,
STEPHEN PACE,
AUG. H. ANDRESEN,
ORVILLE ZIMMERMAN,
HAROLD COOLEY,

Managers on the Part of the House.

EXTENSION OF REMARKS

Mr. SADOWSKI asked and was given permission to extend his remarks in the RECORD and include an article from the Christian Science Monitor.

Mr. CELLER asked and was given permission to extend his remarks in the RECORD on two subjects.

Mr. CARNAHAN asked and was given permission to extend his remarks in the RECORD and include correspondence regarding the misuse of the honorable-discharge button.

Mr. KEFAUVER asked and was given permission to extend his remarks in the RECORD and include an address he recently delivered.

Mr. DOYLE asked and was given permission to extend his remarks in the RECORD and include an article, The 5-Year Plan of Aviation Backward, by Chick Logan.

AMENDING AN ACT ESTABLISHING A UNIFORM SYSTEM OF BANKRUPTCY THROUGHOUT THE UNITED STATES

Mr. SUMNERS of Texas submitted the following conference report and statement on the bill (H. R. 5504) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5504) entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

Instead of "June 4, 1946" as proposed by the Senate insert "March 31, 1947"; and the Senate agree to the same.

HATTON W. SUMNERS,
SAM HOBBS,
EARL C. MICHENER,

Managers on the Part of the House.

PAT MCCARRAN,
ABE MURDOCK,

CHAPMAN REVERCOMB,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5504) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, submit the following statement in

explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The House bill provided that section 75 (c) of the Bankruptcy Act (which expired March 4, 1946) be extended to June 4, 1947. The Senate amendment provided that this section be extended to June 4, 1946. The conference agreement extends the section to March 31, 1947.

HATTON W. SUMNERS,
SAM HOBBS,
EARL C. MICHENER,

Managers on the Part of the House.

APPOINTMENT OF ONE ADDITIONAL DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA

Mr. SUMNERS of Texas. Mr. Speaker, I call up the conference report on the bill (S. 1163) to provide for the appointment of one additional district judge for the northern district of California.

The Clerk read the title of the bill.

The Clerk read the conference report.

(For conference report and statement, see proceedings of the House of May 16, 1946.)

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. PITTENGER asked and was given permission to extend his remarks in the RECORD in three instances on three separate subjects and include newspaper items and quotations in each instance.

JOINT COMMITTEE TO INVESTIGATE LABOR RELATIONS

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Con. Res. 148, Rept. No. 2082), which was referred to the House Calendar and ordered to be printed:

Resolved by the House of Representatives (the Senate concurring), That there is hereby established a joint committee to be composed of seven Members of the Senate, to be appointed by the President of the Senate, and seven Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members.

Sec. 2. The committee shall make a thorough study and investigation of existing and pending labor legislation and of the whole field of labor relations and report to their respective Houses of Congress its recommendations for legislation to promote harmonious relations between labor and industry and to safeguard the public interest in the orderly and uninterrupted flow of interstate commerce and the mining, manufacturing, and production of essential commodities, and the uninterrupted cooperation of public utilities and enterprises essential to the operation of such utilities or essential to the public health or welfare.

The committee shall also investigate and report on the desirability of further legislation concerning the health and safety of employees engaged in industries that are essentially hazardous, with a view to the prevention of accidents and the improvement of health and sanitary conditions connected with such industries.

The committee shall further investigate the feasibility of the establishment of a uniform voluntary system of welfare funds, with a view to the enactment of legislation to assist in the promotion and encouragement of

such a program for the benefit of ill, disabled, or aged employees and their families.

The committee shall confer and consult with responsible leaders of both organized labor and industry and shall seek, as far as compatible with their own judgment, to recommend legislation that will eliminate all reasonable objections of either labor or industry.

The committee shall have power to report to the Senate and the House of Representatives, through the Members of the respective Houses, such legislation as it may deem wise and adequate to carry out the purposes of this concurrent resolution.

SEC. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, and clerical and stenographic assistants as it deems necessary, but the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1923, as amended, for comparable duties.

INDIAN CLAIMS COMMISSION

Mr. SABATH. Mr. Speaker, I call up House Resolution 511 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4497) to create an Indian Claims Commission, to provide for the powers, duties, and functions thereof, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Indian Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. TABER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. COOPER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following members failed to answer to their names:

[Roll No. 124]

Adams	Bennet, N. Y.	Brooks
Arends	Bishop	Brumbaugh
Baldwin, Md.	Blackney	Buck
Baldwin, N. Y.	Bland	Buckley
Barden	Bloom	Buffett
Barrett, Pa.	Bonner	Bulwinkle
Bates, Mass.	Boren	Burch
Bell	Bovina	Eutler
Bender	Bradley, Pa.	Campbell

Cannon, Fla.	Hall	Philbin
Cannon, Mo.	Edwin Arthur	Powell
Carlson	Hall	Price, Ill.
Case, N. J.	Leonard W.	Quinn, N. Y.
Celler	Harris	Rabaut
Clark	Hart	Rabin
Clason	Hartley	Rains
Clippinger	Hays	Ramey
Cochran	Healy	Randolph
Colmer	Hébert	Rayfiel
Cooley	Hefferan	Reece, Tenn.
Corbett	Hinshaw	Rich
Curley	Hoch	Rivers
Daughton, Va.	Holmes, Mass.	Robinson, Utah
Dawson	Huber	Rodgers, Pa.
De Lacy	Jarman	Roe, Md.
Delaney	Jenkins	Roe, N. Y.
James J.	Johnson, Ind.	Rogers, Fla.
Delaney	Kelley, Pa.	Rogers, N. Y.
John J.	Keogh	Rooney
D'Ewart	Kerr	Rowan
Dingell	King	Sadowski
Dirksen	Kinzer	Shafer
Domengeaux	Kirwan	Sharp
Dondero	Klein	Sheppard
Douglas, Calif.	Knutson	Sheridan
Durham	Kunkel	Short
Dworshak	LaFollette	Simpson, Pa.
Earthman	Lane	Slaughter
Eberharter	Lanham	Somers, N. Y.
Elliott	Lea	Spence
Elston	LeCompte	Starkey
Engle, Calif.	LeFevre	Stewart
Fallon	Luce	Sumner, Ill.
Fenton	Ludlow	Talbot
Fernandez	Lynch	Tarver
Fisher	McConnell	Thom
Flood	McCowan	Thomas, N. J.
Folger	McGehee	Thomas, Tex.
Forand	McGlinchey	Tibbott
Fulton	Maloney	Tolan
Gamble	Marcantonio	Torrens
Gardner	Mathews	Traynor
Gary	May	Vinson
Gavin	Morgan	Voorhis, Calif.
Gearhart	Murphy	Vursell
Gerlach	Neely	Wadsworth
Gifford	Norton	Walter
Gillette	O'Brien, Ill.	Wasielewski
Goodwin	O'Brien, Mich.	Weaver
Gore	O'Neal	Weichel
Graham	O'Toole	White
Granahan	Pace	Winstead
Green	Patrick	Wolfenden, Pa.
Gross	Patterson	Wood
Gwinn, N. Y.	Peterson, Ga.	Woodhouse
Hagen	Pfeifer	

The SPEAKER. On this roll call 229 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. SABATH. Mr. Speaker, after I have consumed about 7 minutes, I shall yield to the gentleman from Indiana [Mr. HALLECK], a member of the Committee on Rules.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. SABATH. I yield to the gentleman from New York.

Mr. TABER. Does the gentleman realize this opens up anew \$1,133,000,000 of claims that have already been authorized by previous law to be submitted to the Court of Claims and passed on, and that the bill wipes out the right of offset on the part of the Government that has heretofore been allowed? That is the decision of the Attorney General and the Comptroller General.

Mr. SABATH. That was the case under the two former bills, but the committee has held prolonged and careful hearings and, after due and careful consideration on the part of the Committee on Indian Affairs, after hearing many witnesses, and giving careful consideration to the two original bills, H. R. 1198 and H. R. 1341, the committee, so I am informed—of course, I did not attend any of those hearings—by a unanimous vote

finally reported the bill H. R. 4497, which is before us now.

Mr. Speaker, the rule provides for 1 hour of general debate, after which the bill will be considered under the 5-minute rule. It is as usual an open rule, giving the Members the opportunity to offer amendments and to vote for or against them, and to vote for or against the bill or any provision thereof.

As I understand, Mr. Speaker, there are a few opposed to this bill, but I am informed by the proponents of the bill that the objection originally was to the first two bills, which have been rewritten and the rights and interests of the Government have been safeguarded and protected to the best ability of the committee. I am informed also that the gentleman from New York [Mr. TABER], as well as one of two others, were opposed to the bill, and especially to the provision that "no claim shall be excluded from consideration on the ground that it has become barred by law or any rule of law or equity, or that it is barred by any statute of limitations or by laches." I have been advised that the committee has agreed to the amendment that will be offered to clarify this provision so that no claims that already have been adjudicated, or have had their day in court, shall be permitted to be revived or tried de novo.

As one who has been here for a good many years and has seen many of these Indian claims bills before the House, I am of the opinion that a limit should be set and these continuous claims should be limited in time to 5 years.

This bill, Mr. Speaker, creates a Fact-Finding Commission of three. The Commission will not have final and complete jurisdiction to adjust or approve any claim. The Commission will be responsible to the Court of Claims. It is given jurisdiction to hear and recommend, but the final decision will be made by the Court of Claims. The Commission must make a report within 5 years, and all the claims must be settled within 10 years. Therefore, we can look forward, if this bill is passed, to getting rid of these many Indian claims bills within 10 years. These bills have been with us for many years. I am not disposed to depriving the Indians of any rights because I have some Indians in my district, but they are good Indians. I feel that justice should be done to them and that these professional claim hunters and claim filers should be stopped. Before the Committee on Rules we heard several gentlemen, outstanding Americans, who had the interest of our country at heart. They highly recommend, approve, and urge this legislation. In view of the unanimous report of the Committee on Indian Affairs, the Committee on Rules, after hearing these witnesses, unanimously agreed to grant a rule on this bill. Consequently, I feel that the rule should be adopted, and in the interest of the Indians, as well as our Nation, the bill should be passed, because it is bound to put an end, as I say, to many of these professional lawyers who have been pestering Congress for many years with new claims—new claims—and more new claims. Unless this bill is passed, we will have claims coming before us for perhaps another 25 years.

SCHOOL-LUNCH PROGRAM

MAY 20, 1946.—Ordered to be printed

Mr. FLANNAGAN, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H. R. 3370]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: *That this Act may be cited as the "National School Lunch Act"*.

DECLARATION OF POLICY

SEC. 2. It is hereby declared to be the policy of Congress, as a measure of national security, to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the States, through grants-in-aid and other means, in providing an adequate supply of foods and other facilities for the establishment, maintenance, operation, and expansion of nonprofit school-lunch programs.

APPROPRIATIONS AUTHORIZED

SEC. 3. For each fiscal year, beginning with the fiscal year ending June 30, 1947, there is hereby authorized to be appropriated, out of money in the Treasury not otherwise appropriated, such sums as may be necessary to enable the Secretary of Agriculture (hereinafter referred to as "the Secretary") to carry out the provisions of this Act.

APPORTIONMENTS TO STATES

SEC. 4. The sums appropriated for any fiscal year pursuant to the authorization contained in section 3 of this Act, excluding the sum specified in section 5, shall be available to the Secretary for supplying, during such fiscal year, agricultural commodities and other foods for the school-lunch program in accordance with the provisions of this Act. The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the aforesaid funds made available for such year for supplying agricultural commodities and other foods under the provisions of this Act, except that the total of such apportionments of funds for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for agricultural commodities and other foods for the school-lunch program. Apportionment among the States shall be made on the basis of two factors: (1) The number of school children in the State and (2) the need for assistance in the State as indicated by the relation of the per capita income in the United States to the per capita income in the State. The amount of the initial apportionment to any State shall be determined by the following method: First, determine an index for the State by multiplying factors (1) and (2); second, divide this index by the sum of the indices for all the States; and, finally, apply the figure thus obtained to the total funds to be apportioned. For the purpose of this section, the number of school children in the State shall be the number of children therein between the ages of five and seventeen, inclusive; such figures and per capita income figures shall be the latest figures certified by the Department of Commerce. For the purposes of this Act, "school" means any public or nonprofit private school of high-school grade or under and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico. If any State cannot utilize all funds so apportioned to it, or if additional funds are available under this Act for apportionment among the States, the Secretary shall make further apportionments to the remaining States in the same manner.

SEC. 5. Of the sums appropriated for any fiscal year pursuant to the authorization contained in section 3 of this Act, \$10,000,000 shall be available to the Secretary for the purpose of providing, during such fiscal year, nonfood assistance for the school-lunch program pursuant to the provisions of this Act. The Secretary shall apportion among the States during each fiscal year the aforesaid sum of \$10,000,000, and such apportionment among the States shall be on the basis of the factors, and in accordance with the standards, set forth in section 4 with respect to the apportionment for agricultural commodities and other foods. The total of such funds apportioned for nonfood assistance for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for nonfood assistance in accordance with the provisions of this Act.

DIRECT FEDERAL EXPENDITURES

SEC. 6. The funds appropriated for any fiscal year for carrying out the provisions of this Act, less not to exceed $3\frac{1}{2}$ per centum thereof hereby made available to the Secretary for his administrative expenses and less the amount apportioned by him pursuant to sections 4, 5, and 10, shall be available to the Secretary during such year for direct expenditure by him

for agricultural commodities and other foods to be distributed among the States and schools participating in the school-lunch program under this Act in accordance with the needs as determined by the local school authorities. The provisions of law contained in the proviso of the Act of June 28, 1937 (50 Stat. 323), facilitating operations with respect to the purchase and disposition of surplus agricultural commodities under section 32 of the Act approved August 24, 1935 (49 Stat. 774), as amended, shall, to the extent not inconsistent with the provisions of this Act, also be applicable to expenditures of funds by the Secretary under this Act.

PAYMENTS TO STATES

SEC. 7. Funds apportioned to any State pursuant to section 4 or 5 during any fiscal year shall be available for payment to such State for disbursement by the State educational agency, in accordance with such agreements not inconsistent with the provisions of this Act, as may be entered into by the Secretary and such State educational agency, for the purpose of assisting schools of that State during such fiscal year, in supplying (1) agricultural commodities and other foods for consumption by children and (2) nonfood assistance in furtherance of the school-lunch program authorized under this Act. Such payments to any State in any fiscal year during the period 1947 to 1950, inclusive, shall be made upon condition that each dollar thereof will be matched during such year by \$1 from sources within the State determined by the Secretary to have been expended in connection with the school-lunch program under this Act. Such payments in any fiscal year during the period 1951 to 1955, inclusive, shall be made upon condition that each dollar thereof will be so matched by one and one-half dollars; and for any fiscal year thereafter, such payments shall be made upon condition that each dollar will be so matched by \$3. In the case of any State whose per capita income is less than the per capita income of the United States, the matching required for any fiscal year shall be decreased by the percentage which the State per capita income is below the per capita income of the United States. For the purpose of determining whether the matching requirements of this section and section 10, respectively, have been met, the reasonable value of donated services, supplies, facilities, and equipment as certified, respectively, by the State educational agency and in case of schools receiving funds pursuant to section 10, by such schools (but not the cost or value of land, of the acquisition, construction, or alteration of buildings of commodities donated by the Secretary, or of Federal contributions), may be regarded as funds from sources within the State expended in connection with the school-lunch program. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this section and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

STATE DISBURSEMENT TO SCHOOLS

SEC. 8. Funds paid to any State during any fiscal year pursuant to section 4 or 5 shall be disbursed by the State educational agency, in accordance with such agreements approved by the Secretary as may be entered into by such State agency and the schools in the State, to those schools in the State which the State educational agency, taking into account need and attendance, determines are eligible to participate in the school-lunch program. Such disbursement to any school shall be made only for the purpose of reimbursing it for the cost of obtaining agricultural

commodities and other foods for consumption by children in the school-lunch program and nonfood assistance in connection with such program. Such food costs may include, in addition to the purchase price of agricultural commodities and other foods, the cost of processing, distributing, transporting, storing, or handling thereof. In no event shall such disbursement for food to any school for any fiscal year exceed an amount determined by multiplying the number of lunches served in the school in the school-lunch program under this Act during such year by the maximum Federal food-cost contribution rate for the State, for the type of lunch served, as prescribed by the Secretary.

NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

SEC. 9. Lunches served by schools participating in the school-lunch program under this Act shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost or at a reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the lunch. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay. School-lunch programs under this Act shall be operated on a nonprofit basis. Each school shall, insofar as practicable, utilize in its lunch program commodities designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or commodities donated by the Secretary. Commodities purchased under the authority of section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in the school-lunch program under this Act as well as to other schools carrying out nonprofit school-lunch programs and institutions authorized to receive such commodities.

SEC. 10. If, in any State, the State educational agency is not permitted by law to disburse the funds paid to it under this Act to nonprofit private schools in the State, or is not permitted by law to match Federal funds made available for use by such nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under sections 4 and 5 of this Act the same proportion of the funds as the number of children between the ages of five and seventeen, inclusive, attending nonprofit private schools within the State is of the total number of persons of those ages within the State attending school. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within said State for the same purposes and subject to the same conditions as are authorized or required with respect to the disbursements to schools within the State by the State educational agency, including the requirement that any such payment or payments shall be matched, in the proportion specified in section 7 for such State, by funds from sources within the State expended by nonprofit private schools within the State participating in the school-lunch program under this Act. Such funds shall not be considered a part of the funds constituting the matching funds under the terms of section 7.

MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 11. (a) States, State educational agencies, and schools participating in the school-lunch program under this Act shall keep such accounts and records as may be necessary to enable the Secretary to

determine whether the provisions of this Act are being complied with. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of five years, as the Secretary determines is necessary.

(b) The Secretary shall incorporate, in his agreements with the State educational agencies, the express requirements under this Act with respect to the operation of the school-lunch program under this Act insofar as they may be applicable and such other provisions as in his opinion are reasonably necessary or appropriate to effectuate the purposes of this Act.

(c) In carrying out the provisions of this Act, neither the Secretary nor the State shall impose any requirement with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction in any school. If a State maintains separate schools for minority and for majority races, no funds made available pursuant to this Act shall be paid or disbursed to it unless a just and equitable distribution is made within the State, for the benefit of such minority races, of funds paid to it under this Act.

(d) For the purposes of this Act—

(1) "State" includes any of the forty-eight States and the District of Columbia, Territory of Hawaii, Puerto Rico, Alaska, and the Virgin Islands.

(2) "State educational agency" means, as the State legislature may determine, (a) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (b) a board of education controlling the State department of education; except that in the District of Columbia it shall mean the Board of Education, and except that for the period ending June 30, 1948, "State educational agency" may mean any agency or agencies within the State designated by the Governor to carry out the functions herein required of a State educational agency.

(3) "Nonprofit private school" means any private school exempt from income tax under section 101 (6) of the Internal Revenue Code, as amended.

(4) "Nonfood assistance" means equipment used on school premises in storing, preparing, or serving food for school children.

And the Senate agree to the same.

JOHN W. FLANNAGAN, Jr.,
CLIFFORD R. HOPE,
STEPHEN PACE,
AUG. H. ANDRESEN,
ORVILLE ZIMMERMAN,
HAROLD COOLEY,
Managers on the Part of the House.

RICHARD B. RUSSELL,
J. H. BANKHEAD,
ARTHUR CAPPER,
ALLEN J. ELLENDER,
GEORGE D. AIKEN,
Managers on the Part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment strikes out all of the House bill after the enacting clause. The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment, and that the Senate agree to the same.

The conference agreement differs in the following respects from the bill as it passed the House.

The House bill authorized, in section 101, an appropriation of not more than \$50,000,000 for each fiscal year to enable the Secretary of Agriculture to carry out the provisions of the act. The conference substitute (sec. 3) does not provide any specific limitation on the sums to be appropriated, but authorizes the appropriation of such sums as may be necessary to enable the Secretary to effectuate the provisions of the act.

The House bill authorized, in sections 102 and 108 (e), the expenditure of not in excess of 2 percent of the funds appropriated for use directly in nonprofit child-care centers. There has been deleted from the conference substitute all reference to nonprofit child-care centers except with respect to Puerto Rico. Instead of the House bill limitation of \$1,500,000 of the funds made available by the act for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands, the conference substitute provides that the total of the apportionment of funds for use in Alaska and said Territories shall not exceed 3 percent of the funds appropriated for agricultural commodities and other foods for school-lunch programs.

The House bill provided, in section 102, that not less than 75 percent of the funds appropriated for each fiscal year shall be apportioned among the States for such year for carrying out the provisions of the act. The conference substitute provides for the apportionment among the States during each fiscal year of not less than 75 percent of the funds made available for such year for supplying agricultural commodities and other foods. The funds available for supplying agricultural commodities and other foods are all sums appropriated except the \$10,000,000 specified in section 5 for nonfood assistance.

The conference substitute adds a section (sec. 5) which makes available \$10,000,000 to the Secretary out of the sum appropriated for any fiscal year pursuant to the act for the purpose of providing nonfood assistance for the school-lunch program. This sum is to be apportioned among the States on the basis of factors, and in accordance with the standards, applicable to the apportionment of funds available for the supplying of agricultural commodities and other foods. The

total of such funds apportioned for nonfood assistance for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands is not to exceed 3 percent of the funds appropriated for nonfood assistance. Nonfood assistance is defined in the conference substitute as equipment used on school premises in storing, preparing, or serving food for school children.

The House bill limited, in section 103, the amount for administrative expenses of the Secretary to 3 percent of the funds appropriated for any fiscal year for the purposes of the act. The conference agreement (sec. 6) increases the maximum for administrative expenses to 3½ percent.

Section 104 (a) of the House bill provided for payments to be made to States conditioned upon the respective State's matching the grant, during each year, from sources within the State according to the following ratio:

Fiscal year 1947, \$1 for \$1.

Fiscal year 1948, \$1 for \$2.

Fiscal years 1949 and 1950, \$1 for \$3.

Thereafter, \$1 for \$4.

The conference agreement (sec. 7) prescribes that the matching provisions shall be in accordance with the following ratio:

Fiscal years 1947 to 1950, inclusive, \$1 for \$1.

Fiscal years 1951 to 1955, inclusive, \$1 for \$1.50.

Thereafter, \$1 for \$3.

Section 104 (b) of the bill as it passed the House provided, with respect to the matching requirements, that in the event the total of the funds from sources within the State, which may be considered as matching funds, do not completely match the Federal apportionments, the State educational agency may determine the application of such funds from sources within the State against the matching requirements with the exception that funds from sources within the State used in connection with schools not participating in the school-lunch program may not be so used. That language of section 104 (b) was included in view of the provisions in title II of the original bill introduced in the House. Title II was, however, not included in the bill as passed by the House. The conference substitute eliminates the provisions in section 104 (b).

Section 107 of the bill as it passed the House precluded the payment or disbursement of funds to any State or school if, in carrying out its functions under the act, it makes any discrimination because of race, creed, color, or national origin of children. The conference agreement (sec. 11 (c)) changed this restriction so as to provide, in instances where a State maintains separate schools for minority and for majority races, that no funds made available pursuant to the act shall be paid or disbursed to the State unless a just and equitable distribution is made within the State, for the benefit of such minority races, of funds paid to it under the act.

JOHN W. FLANNAGAN, Jr.,

CLIFFORD R. HOPE,

STEPHEN PACE,

AUG. H. ANDRESEN,

ORVILLE ZIMMERMAN,

HAROLD COOLEY,

Managers on the Part of the House.

DIGEST OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Legislative Reports and Service Section
(For Department staff only)

Issued May 24, 1946
For actions of May 23, 1946
79th-2nd, No. 97

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HIGHLIGHTS: House agreed to conference report on school-lunch bill; Senate has not yet acted. House agreed to conference report on bill to continue Farm Bankruptcy Act until Mar. 31, 1947; ready for President. House passed UNESCO Bill. Rep. Murray, Wis., spoke against meat-slaughter quotas and price control on livestock and meat. House committee appointed to investigate surplus property; Slaughter is Chairman. Senate committee reported nomination of Watt as Housing Expediter. President approved Patman housing bill. Sen. Morse urged price control continuation. Sen. Tydings criticized fertilizer and preserving-can embargoes.

HOUSE

1. ~~SCHOOL-LUNCH BILL.~~ Agreed to the conference report on this bill, H. R. 3370, without discussion and without a record vote (p. 5557). The Senate has not yet received the report.
2. ~~SURPLUS-PROPERTY INVESTIGATION.~~ Reps. Slaughter (Chairman), Davis, Rooney, Rizley, and Robertson of N. Dak. were appointed members of the special committee to investigate surplus-property disposal, pursuant to H. Res. 385 (p.5557).
3. ~~UNESCO BILL.~~ Passed, 264-41, as reported H. J. Res. 305, to provide for U. S. participation in the United Nations Educational, Scientific, and Cultural Organization (pp. 5558-9).
4. ~~ALASKAN HIGHWAY.~~ The Rules Committee reported a resolution for consideration of H. Res. 636, to create an Alaskan International Highway Commission (p. 5558).
5. ~~NAVAL APPROPRIATION BILL.~~ Passed with amendments ~~this bill~~, H. R. 6496 (pp. 5559-87). During general debate on this bill, Rep. Murray, Wis., spoke against meat-slaughter quotas and price control on livestock and meat (pp. 5576-8), and Rep. Sheppard, Calif., spoke against contract authority in lieu of appropriations (pp. 5560-1).
6. ~~FARM BANKRUPTCY.~~ Agreed to the conference report on ~~this bill~~, H. R. 5504, to extend the Farm Bankruptcy Act until Mar. 31, 1947 (p. 5588). This bill will now be sent to the President.
7. ~~PRICE CONTROL.~~ Rep. Gavin, Pa., defended the House price-control bill, stating that it "affords plenty of room to control prices" (p. 5587).

8. GRAIN SHORTAGE. Received a petition from N. Y. citizens urging legislation to authorize prohibition against use of grain for alcohol (p. 5590).
9. LEGISLATIVE PROGRAM. The Majority Leader announced that the administrative-law and stock-piling bills are to be considered today (p. 5588).

SENATE

10. LABOR DISPUTES. Continued debate on H. R. 4908, to provide additional facilities for mediation of labor disputes (pp. 5594-664). During the debate Sen. Morse, Oreg., discussed the possibilities of inflation "unless American workers, American farmers, and American consumers generally can maintain a relatively high purchasing power" (p. 5600), and urged continuation of price controls until a balance between supply and purchasing power is obtained (pp. 5601-2); and Sen. Tydings, Md., criticized the recent embargo on fertilizers and preserving cans and the effect of such embargo on the food program (pp. 5628-9).
... Received a petition for cloture on this bill, the time for vote being stated as 1:00 p.m., Sat. May 25 (pp. 5638-9).
Rejected, 32-45, a modified amendment by Sen. Pepper, Fla., regarding welfare funds (p. 5658).
Agreed, 43-34, to amendment by Sens. Green (R.I.) and Pepper (Fla.) regarding administration of welfare funds (pp. 5658-9).
11. PRICE CONTROL. Sen. Wagner, N.Y., inserted the President's letter to him urging extension of the Price Control and Stabilization Acts without crippling amendments (pp. 5614-5).
12. NOMINATION. The Banking and Currency Committee reported the nomination of Wilson W. Wyatt to be Housing Expediter (p. 5664).
13. FEED SHORTAGE. Sen. Tobey, N.H., inserted his telegram to the President urging the raising of the ceiling on grain to permit the purchase of grain for feed to alleviate the shortage which is, he says, "the most serious situation which ever confronted our poultry raisers" (p. 5645).

BILLS INTRODUCED

14. PERSONNEL; SALARIES. H.R. 6532, by Rep. McGehee, Miss., to provide a method for payments in certain Government establishments of overtime, leave, and holiday compensation on the basis of night rates pursuant to certain decisions of the Comptroller General. To Claims Committee. (p. 5590.)
15. ADMINISTRATIVE EXPENSES. H.R. 6533, by Rep. Manasco, Ala., to authorize certain administrative expenses in the Government service. To Expenditures in the Executive Departments Committee. (p. 5590.)
16. WHEAT BONUS. S. 2240, by Sen. Reed, Kans., to provide for the payment of a bonus of 30¢ per bushel on wheat and corn sold by producers between Jan. 1, 1946 and Apr. 18, 1946. To Agriculture and Forestry Committee. (p. 5593.)

ITEMS IN APPENDIX

16. SUGAR SUBSIDIES. Extension of remarks of Rep. Reed, N.Y., criticizing the subsidies on sugar as a cause of the shortage (p. A3080).
17. RECLAMATION. Rep. Sabath, Ill., inserted Harold L. Ickes' newspaper article claiming that private power companies are working against the National Reclamation



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House of Representatives

The House met at 11 o'clock a. m.
The Chaplain, Rev. James S. Montgomery, D. D., offered the following prayer:

Thou infinite Father, in the onward sweep of time we are brought again to the beginning of a new day. As we hold it in our grasp, may it be something better and purer for Thy children everywhere. We pray that the disparagements of life may give way to larger faith and recognition of the eternal verities. Grant that the hearts of designing men may be melted into brotherhood; that the duty and sanctity of honest labor may increase; and that creeds may be swallowed up in pure, undefiled religion. Dear Lord, we entreat Thee that Thy kingdom, for which the devout of every age have prayed, may come to the great soul of humanity, when men shall trust one another and work for the things that make for peace; when there shall be no oppression and the new world shall appear. How beautiful upon the mountains are the feet of Him that bringeth good tidings, that publisheth peace. We pray in the name of Thy Son, the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill and a joint resolution of the House of the following titles:

H. R. 4763. An act for the relief of R. L. Benton; and

H. J. Res. 353. Joint resolution extending the time for the release of powers of appointment for the purposes of certain provisions of the Internal Revenue Code.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House which was read:

MAY 22, 1946.

The Honorable the SPEAKER,
House of Representatives.

SIR: Desiring to be temporarily absent from my office, I hereby designate Mr. H.

Newlin Megill, an official in my office, to sign any and all papers and do all other acts for me which he would be authorized to do by virtue of this designation and of clause 4, rule III, of the House.

Respectfully,

SOUTH TRIMBLE,

Clerk of the House of Representatives.

MEMBERS OF THE HOUSE TO ATTEND MEETING OF EMPIRE PARLIAMENTARY ASSOCIATION

The SPEAKER. Pursuant to the provisions of Senate Concurrent Resolution 58, Seventy-ninth Congress, the Chair appoints the following Members on the part of the House of Representatives to attend the meeting of the Empire Parliamentary Association, to be held in Bermuda, beginning June 10, 1946: Mr. LUTHER A. JOHNSON, of Texas, chairman; Mr. RICHARDS, of South Carolina; Mr. GRANT, of Indiana; and Mr. SMITH, of Wisconsin.

COMMITTEE TO INVESTIGATE DISPOSITION OF SURPLUS PROPERTY

The SPEAKER. Pursuant to the provisions of House Resolution 385, Seventy-ninth Congress, the Chair appoints as members of the Select Committee To Study and Investigate the Operation of the Program for Disposition of Surplus Property the following Members of the House: Mr. SLAUGHTER, Missouri, chairman; Mr. DAVIS, Tennessee; Mr. ROONEY, New York; Mr. RIZLEY, Oklahoma; and Mr. ROBERTSON, North Dakota.

SCHOOL-LUNCH PROGRAM

Mr. FLANNAGAN. Mr. Speaker, I call up the conference report on the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of May 20, 1946.)

The conference report was agreed to. A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. KEOGH asked and was given permission to extend his remarks in the RECORD and include an address delivered by Attorney General Clark before the Westchester County (N. Y.) Bar Association.

Mr. VOORHIS of California asked and was given permission to extend his remarks in the RECORD and include his own testimony before the Committee on Ways and Means on the Social Security Act.

Mr. FOGARTY asked and was given permission to extend his remarks in the RECORD and include a resolution just adopted by the Rhode Island State Council, Knights of Columbus.

Mr. HOCH asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. RYTER asked and was given permission to extend his remarks in the RECORD and include a news article appearing in the New York Times of May 22 of this year.

Mr. LANE asked and was given permission to extend his remarks in the RECORD and include an address.

Mr. HOPE asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. KLEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two instances, in one to include my own remarks on Harvey Springer, of Englewood, Colo., and in the other an editorial from the Washington Post of yesterday.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. RANKIN. Reserving the right to object, Mr. Speaker, is that the editorial in which Eugene Meyer attacked me?

Mr. KLEIN. Not the gentleman from Mississippi, but the committee.

Mr. RANKIN. I have seen his contemptible attacks on me as well as on the

committee, and the attack being made in his paper now on the decent people of Tennessee. That editorial is not going into the CONGRESSIONAL RECORD if I can help it. I object, Mr. Speaker.

CORRECTION OF ROLL CALL

Mr. TRAYNOR. Mr. Speaker, in the CONGRESSIONAL RECORD of yesterday, on roll call No. 128, I am recorded as having failed to answer to my name. I assure you that I answered six roll calls yesterday. I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Delaware?

There was no objection.

EXTENSION OF REMARKS

Mr. HAND asked and was given permission to extend his remarks in the RECORD.

Mr. LATHAM. Mr. Speaker, in view of the announcement of the Speaker concerning the making of 1-minute speeches this morning, I ask unanimous consent to insert a short statement at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

REEMPLOYMENT OF VETERANS

Mr. LATHAM. Mr. Speaker, there are in my home neighborhood three young veterans each with a wife and children to support, who, before entering the service, worked for the Rockaway News Co., on Long Island. After discharge from service, they sought to obtain their old jobs. The company said it was anxious to rehire them, but that they would first have to join the Newspaper and Mail Deliverers' Union, an independent closed-shop union, organized since they went into service.

They made application for membership in this union, offering to pay the membership fee of \$100. So far the union has refused them membership, although their old jobs are waiting, thus denying to them the right to support their families. A letter from me to the president of the union has gone unanswered.

Thus do some labor leaders, while drooling about freedom, liberalism, and the common man, practice the un-American principles of reaction, dictatorship, and selfishness.

CORRECTION OF ROLL CALL

Mr. HOEVEN. Mr. Speaker, on roll call No. 127 yesterday, I am shown as not having answered to my name. I was present and answered to my name and ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Without objection, the RECORD and the Journal will be corrected accordingly.

There was no objection.

EXTENSION OF REMARKS

Mr. BUFFETT asked and was given permission to extend his remarks in the RECORD in two instances and to include letters in each instance.

Mr. RICH asked and was given permission to have printed in the Appendix of

the RECORD an article entitled "In Defense of the Corporation Employer," by Roy C. McKenna, chairman of the board of the Vanadium-Alloys Steel Co., from the May issue of the Washington News-Digest.

Mr. GRANT of Indiana asked and was given permission to extend his remarks in the RECORD and include a telegram.

Mr. SABATH asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an article and in the other an editorial.

RAILROAD RETIREMENT ACT

Mr. SABATH. Mr. Speaker, I ask unanimous consent that House Resolution 625, a rule on the so-called Crosser bill, be recommitted to the Committee on Rules.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 635, Rept. No. 2103) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1362) to amend the Railroad Retirement Acts, the Railroad Unemployment Insurance Act, and subchapter B of chapter 9 of the Internal Revenue Code, and for other purposes, and all points of order against any provisions of the bill and committee amendment thereto are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 5 hours to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

ALASKAN INTERNATIONAL HIGHWAY COMMISSION

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 636, Rept. No. 2104) which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2871) to create a commission to be known as the Alaskan International Highway Commission. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without in-

tervening motion except one motion to recommit.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

The SPEAKER. The unfinished business is the question on the passage of House Joint Resolution 305.

The question was taken; and on a division (demanded by Mr. JONES) there were—ayes 37, noes 13.

Mr. JONES. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—ayes 264, nays 41, answered "present" 1, not voting 124, as follows:

[Roll No. 132]

AYES—264

Adams	Felghan	Lanahan
Allen, La.	Fellows	Larcade
Almond	Fisher	Latham
Anderson, Calif.	Flannagan	LeFevre
Andrews, Ala.	Flood	Lemke
Andrews, N. Y.	Fogarty	Lesinski
Angell	Forand	Lewis
Arends	Fulton	Link
Auchincloss	Gallagher	Luce
Bailey	Gamble	Lyle
Barrett, Pa.	Gary	Lynch
Barrett, Wyo.	Geelan	McConnell
Bates, Ky.	Gerlach	McCormack
Bates, Mass.	Gibson	McCowan
Beckworth	Goodwin	McDonough
Bender	Gordon	McKenzie
Bennet, N. Y.	Gore	McMillan, S. C.
Biemiller	Gorski	McMillen, Ill.
Blackney	Gossett	Madden
Bloom	Granahan	Mahon
Brehm	Granger	Maloney
Brooks	Grant, Ala.	Manasco
Brown, Ga.	Grant, Ind.	Mansfield,
Bryson	Green	Mont.
Buck	Gregory	Mansfield, Tex.
Burch	Griffiths	Marcantonio
Butler	Hagen	Martin, Iowa
Byrne, N. Y.	Hale	Martin, Mass.
Byrnes, Wis.	Hall,	May
Campbell	Leonard W.	Marrow
Canfield	Halleck	Michener
Cannon, Mo.	Hand	Mills
Carnahan	Hare	Monroney
Case, N. J.	Hays	Mundt
Case, S. Dak.	Healy	Murdock
Celler	Hedrick	Murphy
Chapman	Heffernan	Murray, Wis.
Chelf	Henry	Neely
Chenoweth	Herter	Norblad
Chiperfield	Heselton	Norrell
Church	Hill	O'Brien, Ill.
Clason	Hoch	O'Brien, Mich.
Clements	Hoeven	O'Toole
Coffee	Holmes, Mass.	Outland
Cole, Kans.	Holmes, Wash.	Pace
Cole, N. Y.	Hope	Peterson, Fla.
Combs	Horan	Peterson, Ga.
Cooper	Howell	Phillips
Cox	Huber	Pickett
Cravens	Hull	Plumley
Crosser	Jackson	Poage
Cunningham	Jenkins	Powell
D'Alesandro	Jennings	Price, Fla.
Daughton, Va.	Johnson, Calif.	Price, Ill.
Davis	Johnson, Luther	Priest
De Lacy	A.	Quinn, N. Y.
Delaney,	Johnson,	Rabaut
James J.	Lyndon B.	Rabin
Delaney,	Johnson, Okla.	Ramey
John J.	Jonkman	Randolph
Dirksen	Judd	Rayfield
Dolliver	Kcan	Reed, Ill.
Domengeaux	Kearney	Rees, Kans.
Dondero	Keefe	Rosa
Doughton, N. C.	Kcfauver	Richards
Douglas, Ill.	Kelley, Pa.	Riley
Drewry	Keogh	Robertson,
Earthman	Kilburn	N. Dak.
Eaton	Kilday	Robertson, Va.
Eberharter	Kinzer	Robinson, Utah
Ellsworth	Klein	Robson, Ky.
Engel, Mich.	Kopplemann	Rockwell
Ervin	Landis	Rogers, Fla.
Fallon	Lane	Rogers, Mass.

DIGEST OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Legislative Reports and Service Section
(For Department staff only)

Issued May 27, 1946
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HIGHLIGHTS: Senate agreed to conference report on school-lunch bill; ready for President. Sen. Langer criticized OPA regulations as cause of milk shortage in Fargo, N. Dak. Sen. Bridges criticized Government's failure to act in New England feed shortage situation. Sen. Bankhead and Rep. Flannagan introduced bills to provide for further research into basic laws and principles relating to agriculture. Sen. O'Mahoney introduced bill to amend the Sugar Act. House passed administrative procedure bill. House passed strategic materials purchase and stockpiling bill. Rep. Murray introduced bill to limit slaughtering quotas. Senate confirmed nomination of Wyatt to be Housing Expediter. Senate committee recommended removal of all milk and milk products price controls. President's joint-session message on labor situation. President approved Federal pay bill.

SENATE - May 24

- 1. SCHOOL-LUNCH PROGRAM.** Agreed to the conference report on this bill, H.R. 3370, without discussion and without record vote (pp. 5706-8). This bill will now be sent to the President. For provisions of conference report see Digest 94.
- 2. LABOR DISPUTES.** Continued debate on H.R. 4908, to provide additional facilities for the mediation of labor disputes (pp. 5672-706, 5708-41).
- 3. MILK SHORTAGE.** Sen. Langer, N. Dak., criticized OPA milk regulations in Fargo and Moorhead, N. Dak., as the cause of a milk shortage there (pp. 5692-3).
- 4. FEED SHORTAGE.** Sen. Bridges, N. H., inserted his statement criticizing the Government's failure to act in the New England feed shortage which, he says, "is a dire emergency" (p. 5668).
- 5. RESEARCH.** The Military Affairs Committee submitted the minority-views report on S. 1850, to promote the progress of science and the useful arts, to secure the national defense, and to advance the national health and welfare (S. Rept. 1136, Pt. 2) (p. 5668).
- 6. PRICE CONTROL.** Received the 16th quarterly report of the OPA, for the period ending Dec. 31, 1945 (p. 5668).
Sen. Vandenberg, Mich., submitted a Mich. citizens' petition urging the continuation of price control (p. 5668).

7. PUBLIC LANDS. The Public Lands and Survey's Committee reported without amendment H.R. 5271, to amend the act to allow credit in connection with certain homestead entries for military or naval service rendered during War II (S.Rept. 1390) (p. 5668).

8. NATIONAL RESOURCES. Sen. Thomas, Utah, submitted an amendment which he intends to propose to S. Res. 245, to increase the limit of expenditures for the investigation of the better mobilization of the natural resources of the U.S. (pp. 5669-72).

SENATE - May 25

9. PRESIDENT'S MESSAGE; LABOR DISPUTES. Both Houses in joint session received the President's message and recommendations for legislation relative to the labor disputes (pp. 5861-2, 5817).

Sen. Barkley, Ky., and Rep. Rankin, Miss., inserted the President's radio address on the labor situation in which he referred to its effect on the food supply of the country (pp. 5793, 5850-1).

10. PRICE CONTROLS; MILK AND MILK PRODUCTS. The Agriculture and Forestry Committee submitted an interim report on wartime price controls and subsidies affecting milk and milk products, recommending that all subsidies and price controls on such commodities be removed at once (p. 5499-801).

11. NOMINATION; HOUSING. Confirmed the nomination of Wilson W. Wyatt to be Housing Expediter (pp. 5847, 5848).

12. LABOR DISPUTES. Passed, 49-29, with amendments H.R. 4908, to provide additional facilities for the mediation of labor disputes (pp. 5794-9, 5801-17, 5821, 5827-47).

The Interstate Commerce Committee reported with amendments H.R. 6578, to provide for prompt settlement, on a temporary basis during the present emergency of industrial disputes vitally affecting the national economy in the transition from war to peace (S. Rept. number not given) (pp. 5830, 5847). This bill contains the recommendations of the President with regard to the labor situation.

13. RECESSED until Mon., May 27 (p. 5847-8).

HOUSE - May 24

14. ADMINISTRATIVE PROCEDURE. Passed without amendment S. 7, to improve the administration of justice by prescribing fair administrative procedure (pp. 5750-72).

Rejected an amendment by Rep. Kefauver, Tenn., to permit any lawyer who has been admitted to the bar of the U.S. Supreme Court or the highest court of the State of his residence to practice before any Government agency (pp. 5772-3). For provisions of the bill see Digest 43.

15. STRATEGIC MATERIALS. Passed with amendment S. 752, to provide for the acquisition of stocks of strategic and critical materials for national defense (pp. 5774-89).

16. DAIRY INDUSTRY. Received a Wis. Cheese Makers' Assn. petition setting forth their views on OPA policies (p. 5791).

17. LEGISLATIVE PROGRAM. Majority Leader McCormack announced the program for this week as follows: Mon., District Day; Tues., Memorial day services; Wed., third deficiency bill; and Fri., H.R. 5674, relating to protection work in connection

second day of January of each year thereafter, file with the Securities and Exchange Commission a report containing a full and complete statement of (1) all dealings in securities or commodities by such Member, Delegate, officer, or employee, or by any person acting by, or on behalf of, or pursuant to the direction of such Member, Delegate, officer, or employee, during the preceding year, (2) the amount and sources of all income received by such Member, Delegate, officer, or employee during the preceding year, including all fees, salaries, income from trusts or estates, and dividends received or credited to his account, and (3) if such income is derived from a law firm or partnership, the names of the clients of such firm or partnership from whom fees were received. Such reports shall be submitted in such form and manner as may be prescribed by the Securities and Exchange Commission, and shall be available for inspection by the public under such rules and regulations as may be promulgated by the commission.

"(b) Any such Member, Delegate, officer, or employee who (1) willfully makes any untrue statement of a material fact in any report filed under the provisions of subsection (a), or willfully omits to state in any such report any material fact required to be stated therein, or (2) willfully imparts, directly or indirectly, information, or any part thereof, obtained by virtue of his office or employment, to any person not entitled under the law or the rules and regulations of a department or agency to receive such information, shall, upon conviction thereof, be punished by a fine of not to exceed \$10,000, or by imprisonment for not to exceed 2 years, or both.

"(c) As used in this section—

"(1) The term 'security' means 'security' as defined in section 2 of the Securities Act of 1933, as amended (U. S. C., title 15, sec. 77b).

"(2) The term 'commodity' means 'commodity' as defined in section 2 of the Commodity Exchange Act, as amended (U. S. C., title 7, sec. 2).

"(3) The term 'dealings in securities or commodities' means any acquisition, holding, withholding, use, transfer, disposition, or other transaction involving any security or commodity.

"(4) The term 'person' includes an individual, partnership, trust, estate, association, corporation, or society."

Mr. MORSE. Mr. President, I send to the desk an amendment intended to be proposed by me to the pending bill, and I ask consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, the amendment will be received, printed, and printed in the RECORD, as if read, and will be regarded as in compliance with the cloture rule.

The amendment intended to be submitted by the Senator from Oregon [Mr. MORSE] is as follows:

Amendment intended to be proposed by Mr. MORSE to the bill (H. R. 4908) to provide additional facilities for the mediation of labor disputes, and for other purposes, viz: On page 28, after section 8, insert the following new section:

"SEC. —. Nothing in this act shall be construed to diminish or interfere with the exercise of the rights of employees or labor organizations under the National Labor Relations Act, as amended, or the exercise of the rights of employees, labor organizations, or carriers under titles I and II of the Railway Labor Act of May 20, 1926 (44 Stat. 577), as amended, or to impair the functions of the National Labor Relations Board established pursuant to the National Labor Relations Act, as amended, or the National Mediation Board and the National Railroad Adjustment Board,

system, group, or regional boards of adjustment under the Railway Labor Act of May 20, 1926 (44 Stat. 577), as amended, or to amend or modify the act entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' approved March 23, 1932."

Mr. WILEY. Mr. President, I wish to modify my amendment to the pending bill, and I ask that the modified amendment be considered as read under the cloture rule. I ask unanimous consent that the reading of the modified amendment be dispensed with.

The PRESIDING OFFICER. The modified amendment will be printed in the RECORD as if read, and without objection, it will be considered as read under rule XXII.

The modified amendment intended to be proposed by Mr. WILEY is as follows:

Amendments intended to be proposed by Mr. WILEY to the bill (H. R. 4908) to provide additional facilities for the mediation of labor disputes, and for other purposes, viz: On page 19, line 14, strike the period at the end thereof, insert a comma, and add the following: "except as specifically provided."

On page 24, line 22, strike the period after the word "act" and insert in lieu thereof the following: "except as otherwise provided by the provisions of this act relative to compulsory arbitration."

At the proper place in the bill insert the following:

"SEC. —. (a) When the Federal Mediation Board finds and determines that a labor dispute affecting commerce, which is not settled or adjusted under other provisions of this act, or under the Railway Labor Act, as amended, if subject thereto, (1) involves an industry engaged in the production of goods or services which are essential to the public health, safety, or security, or to the normal functioning of the national economy, or which are furnished by a public utility whose rates are fixed by governmental agency, State or Federal, and (2) threatens or has resulted in such interruption of the furnishing of such goods and services as will endanger the public health, safety, or security in the Nation as a whole or any part thereof, or as will so substantially interrupt commerce as seriously to disrupt the functioning of the national economy, or in the case of public utilities as will substantially interrupt the furnishing of an essential monopolized service, then the Board shall so notify the President. Upon receipt of such notification, the President is authorized to require submittal of the dispute to arbitration by a board of seven persons (or, if the parties so stipulate, three persons).

"(b) Within 20 days after notice from the President to the parties to the dispute or their representatives that the dispute shall be submitted to arbitration, it shall be the duty of the parties and their representatives to enter into an arbitration agreement covering all the questions involved in the unsettled controversy. The parties shall have no power to withdraw questions submitted or to terminate the arbitration except upon written settlement of such questions or of the controversy, respectively, filed with the board of arbitration. Such settlement shall be effective for at least 6 months from the date thereof. In case of failure or refusal of the parties to execute such an arbitration agreement, the Board shall name the arbitrators and shall present to the board of arbitration a submission in behalf of the parties which shall conform as nearly as may be to the requirements for an arbitration agreement. Neither a board of arbitration named pursuant to the arbitration agreement nor a board of arbitration appointed by the Federal Mediation Board shall be limited or re-

strained in the exercise of its power to make a binding award by the failure or refusal of any party, or of all parties, to participate in the proceedings.

"(c) The provisions of section 7 Second through section 9 of the Railway Labor Act, as amended (U. S. C., title 45, secs. 157 Second through sec. 159), shall govern arbitration conducted under this section to the extent that such provisions are not inconsistent with this section. Where used in the aforesaid sections of the Railway Labor Act, for the purposes of this section the term 'carrier or carriers' shall mean the employer or employers parties to the dispute and/or their representatives; the term 'employees' shall mean the employees parties to the dispute and/or their representatives; the term 'board of arbitration' shall mean such boards established under this section; the term 'Mediation Board' shall mean the Federal Mediation Board, and the term 'chapter' or 'act' shall mean this section.

"(d) Notwithstanding the provisions of the Railway Labor Act, for the purposes of this section—

"(1) a board of arbitration shall have the power to grant or deny in whole or in part the relief sought by any parties on any question submitted;

"(2) the provisions of section 7 (f) of the Railway Labor Act, as amended (U. S. C., title 45, sec. 157 (f)), relating to filing the award with the Interstate Commerce Commission and to the effect of such award on the powers and duties of the Commission, for the purposes of this section shall be applicable only to awards in proceedings under this section to which carriers subject to the jurisdiction of the Commission are parties: *Provided, however,* That in all proceedings under this section involving carriers or public utilities whose rates are fixed by governmental agency, a certified copy of the award shall also be furnished to such agency and no such award shall be construed to diminish the powers and duties of such agency: *Provided, further,* That in the case of any award which grants an increase in wages or salaries, a copy of the proposed award, together with copies of the papers and proceedings and a transcript of the evidence taken at the hearings, all certified under the hands of at least a majority of the arbitrators, shall, before the award is filed for judgment thereon, be furnished to the Stabilization Administrator while such office exists and a certified copy of such proposed award shall also be furnished the parties. The Stabilization Administrator, if in his judgment such action is necessary to prevent wage or salary increases inconsistent with the purposes of the Stabilization Act of 1942, as amended, shall have the authority to require by directive that the board of arbitration reduce its award to such maximum increases as in his judgment are consistent with the purposes of said act. Failure on the part of the Stabilization Administrator to exercise such authority within 15 days after the receipt of the award, papers, proceedings, and transcript and to issue such directive to the board of arbitration shall be deemed approval of such increase for all purposes under the stabilization laws and Executive orders and regulations issued thereunder. As soon as practicable after receipt of the directive from the Stabilization Administrator the board of arbitration shall amend its proposed award accordingly and issue the award so amended as a final award and the same procedural and substantive provisions shall apply thereto as to any award under this section, except that no award shall be held not to comply with the stipulations of the agreement to arbitrate or of the submission in behalf of the parties by the Federal Mediation Board because of the time consumed in conforming to this proviso or because the award grants or denies wage or salary increases in conformity with the directive of the Stabilization Administrator;

"(3) In the case of an arbitration agreement providing for a board of seven arbitrators the parties shall choose four and the arbitrators or the Federal Mediation Board, as the case may be, shall name three all in the manner provided in section 7 Second (b) of the Railway Labor Act aforesaid.

"(e) If an award is set aside in whole or in part and the parties do not agree upon a judgment to dispose of the subject matter of the controversy, the Federal Mediation Board shall reinvestigate the matter. If it makes the findings described in subsection (a) of this section, it shall so notify the President. The President is then authorized to require resubmittal of the matters in dispute to arbitration pursuant to the provisions of this section and further to require that no person who was a member of the previous board of arbitration shall serve on the new board.

"(f) The duties of employers and employees and their representatives involved in the dispute, and the penalties for breach thereof, as set forth in section 3 of this act, shall continue from the date of the requirement of submittal to arbitration until the entry of final judgment upon an award, or until termination of the proceeding by written settlement, as the case may be. Any such settlement as well as settlement of particular questions by agreement of the parties at any stage of the proceedings shall be enforceable under the provisions of this act relating to enforcement of collective bargaining contracts.

"(g) Unless in the arbitration agreement the parties stipulate for a longer period, an award shall continue in force for 6 months from the entry of final judgment thereon. During such period it shall be the duty of the employers and employees and their representatives involved in the dispute to adhere to the terms of the award and to refrain from strikes, lock-outs, and concerted slowdowns of production. Section 3, subsections (c), (d), and (e) of this act shall exclusively govern any breach of such duties."

On page 7, after line 19, insert the following new subsection:

"(h) Notwithstanding the provisions of the National Labor Relations Act exempting employers subject to the Railway Labor Act, as amended, and subsection (f) and (g) of this section, any such employer who violates the duties imposed upon him by subsections (f) and (g) of this section shall be subject to the penalties therefor to the same extent and in the same manner hereinbefore provided for employers, and any employee of an employer subject to the Railway Labor Act, as amended, who violates the duties imposed upon him by the subsections aforesaid shall lose his status as an employee of the employer engaged in the particular labor dispute in connection with which such employee's violation occurred for the purposes of the Railway Labor Act, as amended: *Provided*, That such loss of employee status for such employee shall terminate if and when he is reemployed by such employer.

"(i) Impeachment of awards under this section, provided for by reference, shall be the exclusive method of judicial review thereof."

Mr. McCLELLAN. Mr. President, I send to the desk several amendments to the pending bill and ask that they lie on the table and be printed, and that the reading of the amendments be waived under rule XXII.

The PRESIDING OFFICER. The amendments will be printed in the RECORD as if read, and regarded as in compliance with rule XXII.

The amendments intended to be proposed by Mr. McCLELLAN are as follows:

Amendments intended to be proposed by Mr. McCLELLAN to the bill (H. R. 4908) to provide additional facilities for the media-

tion of labor disputes, and for other purposes, viz: On page 19, line 12, after the word "Act" insert a comma and the following: "except the provisions hereof relating to compulsory arbitration."

On page 24, before the period in line 22, insert a comma and the following: "except as otherwise provided by the provisions of this act relating to compulsory arbitration."

At the proper place in the bill insert a new section as follows:

"SEC. —. (a) Whenever the Board certifies to the President that (1) there exists between an employer, which is a public utility whose rates are fixed by a governmental agency, State or Federal, or which is engaged in the business of transportation or communications or in the production of coal, oil, or steel, and its employees, a labor dispute which obstructs, hinders, or burdens the flow of commerce, or which threatens to obstruct, hinder, or burden the flow of commerce, or which results in a serious threat to the national economy, and (2) that the parties or either of them have refused to agree voluntarily to submit the controversy to arbitration as provided in section 5 (c), the President shall issue an order directing the parties to submit such controversy to arbitration in the manner provided in subsection (b).

"(b) Upon the issuance of an order by the President under subsection (a), each of the parties named in such order shall, within 5 days, submit to the Arbitration Board created under subsection (c) a clear and concise statement of the issues in controversy, together with a statement of their respective positions with respect thereto. The Arbitration Board shall thereupon hold hearings and take such testimony as it deems pertinent to the determination of the issues in controversy, and, not later than 30 days after the date of the issuance of such order of the President, shall render and certify to the National Labor Relations Board its decision concerning the settlement of such controversy. Upon such certification the National Labor Relations Board shall issue an order directing the parties to comply with the decision of the Arbitration Board concerning the settlement of such labor dispute. Such order shall be in effect for a period of 1 year following the date of its issuance. If either of the parties shall fail or refuse to comply with such order of the National Labor Relations Board, the Board shall have power to petition any circuit court of appeals (including the United States Court of Appeals for the District of Columbia), or if all the circuit courts of appeals to which application may be made are in vacation, any district court of the United States (including the United States District Court for the District of Columbia), within any circuit or district, respectively, wherein such party resides or transacts business, for the enforcement of such order. Upon the filing of such petition, the proceedings in, and the jurisdiction and powers of, the court shall be the same as in proceedings for enforcement of orders of the Board under section 10 (e) of the National Labor Relations Act. No labor organization which fails or refuses to comply, or the members of which fail or refuse to comply, with an order issued by the National Labor Relations Board under this section, or the members of which engage in a strike or other concerted stoppage or slowdown of work during the pendency of proceedings under this section, shall be entitled to any rights, privileges, or benefits under the National Labor Relations Act.

"(c) There is hereby created an arbitration board to be composed of 25 members appointed by the President by and with the advice and consent of the Senate. Members of the arbitration board shall serve for a term of 5 years, except that (1) of the members first appointed, five shall be appointed for a term of 1 year, five for a term of 2 years, five for a term of 3 years, five for

a term of 4 years, and (2) a member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. Members shall be paid compensation at the rate of \$25 per diem and shall be reimbursed for any travel, subsistence, or other necessary expenses incurred while engaged in the business of the board. The board shall have authority to sit and act at such places as it may determine, having in mind the convenience of the parties, and shall sit in panels composed of five members. A panel in any case shall be composed of members of the board selected and agreed upon by both or all the parties to the controversy except that if the parties are unable to agree upon the composition of such panel within 5 days after the issuance of the President's order under subsection (a), the members thereof shall be selected by lot from among the members of the board. A decision rendered in any case by a majority of the members of a panel shall be the decision of the board for the purposes of this section."

THE SCHOOL-LUNCH PROGRAM— CONFERENCE REPORT

Mr. TAYLOR obtained the floor.

Mr. RUSSELL. Mr. President, will the Senator from Idaho yield?

Mr. TAYLOR. I am happy to yield to the Senator from Georgia if I do not thereby lose the floor.

Mr. RUSSELL. I certainly shall endeavor to protect the Senator in that respect. I am not one of those who believe in taking Senators from the floor. I am a great believer in the right of free speech and unlimited debate in the Senate.

Mr. TAYLOR. I thank the Senator.

Mr. RUSSELL. I wonder whether the Senator will permit me to request that the Senate take up consideration of a conference report on the school-lunch program measure. I do not think consideration of the report will require any time at all.

Mr. President, with the permission of the Senator, I ask unanimous consent to present the conference report, if I may do so without jeopardizing the right of the Senator from Idaho to the floor.

Mr. TAYLOR. That is agreeable to the Senator from Idaho.

There being no objection, Mr. RUSSELL submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this Act may be cited as the 'National School Lunch Act'."

"DECLARATION OF POLICY"

"SEC. 2. It is hereby declared to be the policy of Congress, as a measure of national security, to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the States, through grants-in-aid and other means, in providing an adequate supply of foods and other facilities for the estab-

lishment, maintenance, operation, and expansion of nonprofit school-lunch programs.

"APPROPRIATIONS AUTHORIZED

"SEC. 3. For each fiscal year, beginning with the fiscal year ending June 30, 1947, there is hereby authorized to be appropriated, out of money in the Treasury not otherwise appropriated, such sums as may be necessary to enable the Secretary of Agriculture (hereinafter referred to as 'the Secretary') to carry out the provisions of this Act.

"APPORTIONMENTS TO STATES

"SEC. 4. The sums appropriated for any fiscal year pursuant to the authorization contained in section 3 of this Act, excluding the sum specified in section 5, shall be available to the Secretary for supplying, during such fiscal year, agricultural commodities and other foods for the school-lunch program in accordance with the provisions of this Act. The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the aforesaid funds made available for such year for supplying agricultural commodities and other foods under the provisions of this Act, except that the total of such apportionments of funds for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for agricultural commodities and other foods for the school-lunch program. Apportionment among the States shall be made on the basis of two factors: (1) The number of school children in the State and (2) the need for assistance in the State as indicated by the relation of the per capita income in the United States to the per capita income in the State. The amount of the initial apportionment to any State shall be determined by the following method: First, determine an index for the State by multiplying factors (1) and (2); second, divide this index by the sum of the indices for all the States; and, finally, apply the figure thus obtained to the total funds to be apportioned. For the purpose of this section, the number of school children in the State shall be the number of children therein between the ages of five and seventeen, inclusive; such figures and per capita income figures shall be the latest figures certified by the Department of Commerce. For the purposes of this Act "school" means any public or nonprofit private school of high-school grade or under and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico. If any State cannot utilize all funds so apportioned to it, or if additional funds are available under this Act for apportionment among the States, the Secretary shall make further apportionments to the remaining States in the same manner.

"SEC. 5. Of the sums appropriated for any fiscal year pursuant to the authorization contained in section 3 of this Act, \$10,000,000 shall be available to the Secretary for the purpose of providing, during such fiscal year, nonfood assistance for the school-lunch program pursuant to the provisions of this Act. The Secretary shall apportion among the States during each fiscal year the aforesaid sum of \$10,000,000, and such apportionment among the States shall be on the basis of the factors, and in accordance with the standards, set forth in section 4 with respect to the apportionment for agricultural commodities and other foods. The total of such funds apportioned for nonfood assistance for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for nonfood assistance in accordance with the provisions of this Act.

"DIRECT FEDERAL EXPENDITURES

"SEC. 6. The funds appropriated for any fiscal year for carrying out the provisions of

this Act, less not to exceed 3½ per centum thereof hereby made available to the Secretary for his administrative expenses and less the amount apportioned by him pursuant to sections 4, 5, and 10, shall be available to the Secretary during such year for direct expenditure by him for agricultural commodities and other foods to be distributed among the States and schools participating in the school-lunch program under this Act in accordance with the needs as determined by the local school authorities. The provisions of law contained in the proviso of the Act of June 28, 1937 (50 Stat. 323), facilitating operations with respect to the purchase and disposition of surplus agricultural commodities under section 32 of the Act approved August 24, 1935 (49 Stat. 774), as amended, shall, to the extent not inconsistent with the provisions of this Act, also be applicable to expenditures of funds by the Secretary under this Act."

"PAYMENTS TO STATES

"SEC. 7. Funds apportioned to any State pursuant to section 4 or 5 during any fiscal year shall be available for payment to such State for disbursement by the State educational agency, in accordance with such agreements not inconsistent with the provisions of this Act, as may be entered into by the Secretary and such State educational agency, for the purpose of assisting schools of that State during such fiscal year, in supplying (1) agricultural commodities and other foods for consumption by children and (2) nonfood assistance in furtherance of the school-lunch program authorized under this Act. Such payments to any State in any fiscal year during the period 1947 to 1950, inclusive, shall be made upon condition that each dollar thereof will be matched during such year by \$1 from sources within the State determined by the Secretary to have been expended in connection with the school-lunch program under this Act. Such payments in any fiscal year during the period 1951 to 1955, inclusive, shall be made upon condition that each dollar thereof will be so matched by one and one-half dollars; and for any fiscal year thereafter, such payments shall be made upon condition that each dollar will be so matched by \$3. In the case of any State whose per capita income is less than the per capita income of the United States, the matching required for any fiscal year shall be decreased by the percentage which the State per capita income is below the per capita income of the United States. For the purpose of determining whether the matching requirements of this section and section 10, respectively, have been met, the reasonable value of donated services, supplies, facilities, and equipment as certified, respectively, by the State educational agency and in case of schools receiving funds pursuant to section 10, by such schools (but not the cost or value of land, of the acquisition, construction, or alteration of buildings, of commodities donated by the Secretary, or of Federal contributions), may be regarded as funds from sources within the State expended in connection with the school-lunch program. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this section and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified."

"STATE DISBURSEMENT TO SCHOOLS

"SEC. 8. Funds paid to any State during any fiscal year pursuant to section 4 or 5 shall be disbursed by the State educational agency, in accordance with such agreements approved by the Secretary as may be entered into by such State agency and the schools in the State, to those schools in the State which the State educational agency, taking into account need and attendance, determines

are eligible to participate in the school-lunch program. Such disbursement to any school shall be made only for the purpose of reimbursing it for the cost of obtaining agricultural commodities and other foods for consumption by children in the school-lunch program and nonfood assistance in connection with such program. Such food costs may include, in addition to the purchase price of agricultural commodities and other foods, the cost of processing, distributing, transporting, storing, or handling thereof. In no event shall such disbursement for food to any school for any fiscal year exceed an amount determined by multiplying the number of lunches served in the school in the school-lunch program under this Act during such year by the maximum Federal food-cost contribution rate for the State, for the type of lunch served, as prescribed by the Secretary.

"NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

"SEC. 9. Lunches served by schools participating in the school-lunch program under this Act shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost or at a reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the lunch. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay. School-lunch programs under this Act shall be operated on a nonprofit basis. Each school shall, insofar as practicable, utilize in its lunch program commodities designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or commodities donated by the Secretary. Commodities purchased under the authority of section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in the school-lunch program under this Act as well as to other schools carrying out nonprofit school-lunch programs and institutions authorized to receive such commodities.

"SEC. 10. If, in any State, the State educational agency is not permitted by law to disburse the funds paid to it under this Act to nonprofit private schools in the State, or is not permitted by law to match Federal funds made available for use by such nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under sections 4 and 5 of this Act the same proportion of the funds as the number of children between the ages of five and seventeen, inclusive, attending nonprofit private schools within the State is of the total number of persons of those ages within the State attending school. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within said State for the same purposes and subject to the same conditions as are authorized or required with respect to the disbursements to schools within the State by the State educational agency, including the requirement that any such payment or payments shall be matched, in the proportion specified in section 7 for such State, by funds from sources within the State expended by nonprofit private schools within the State participating in the school-lunch program under this Act. Such funds shall not be considered a part of the funds constituting the matching funds under the terms of section 7.

"MISCELLANEOUS PROVISIONS AND DEFINITIONS

"SEC. 11. (a) States, State educational agencies, and schools participating in the school-lunch program under this Act shall keep such

accounts and records as may be necessary to enable the Secretary to determine whether the provisions of this Act are being complied with. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of five years, as the Secretary determines is necessary.

"(b) The Secretary shall incorporate, in his agreements with the State educational agencies, the express requirements under this Act with respect to the operation of the school-lunch program under this Act insofar as they may be applicable and such other provisions as in his opinion are reasonably necessary or appropriate to effectuate the purposes of this Act.

"(c) In carrying out the provisions of this Act, neither the Secretary nor the State shall impose any requirement with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction in any school. If a State maintains separate schools for minority and for majority races, no funds made available pursuant to this Act shall be paid or disbursed to it unless a just and equitable distribution is made within the State, for the benefit of such minority races, of funds paid to it under this Act.

"(d) For the purposes of this Act—

"(1) 'State' includes any of the forty-eight States and the District of Columbia, Territory of Hawaii, Puerto Rico, Alaska, and the Virgin Islands.

"(2) 'State educational agency' means, as the State legislature may determine, (a) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (b) a board of education controlling the State department of education; except that in the District of Columbia it shall mean the Board of Education, and except that for the period ending June 30, 1948, 'State educational agency' may mean any agency or agencies within the State designated by the Governor to carry out the functions herein required of a State educational agency.

"(3) 'Nonprofit private school' means any private school exempt from income tax under section 101 (6) of the Internal Revenue Code, as amended.

"(4) 'Nonfood assistance' means equipment used on school premises in storing, preparing, or serving food for school children."

And the Senate agree to the same.

RICHARD B. RUSSELL,
J. H. BANKHEAD,
ARTHUR CAPPER,
ALLEN J. ELLENDER,
GEORGE D. AIKEN,

Managers on the Part of the Senate.

JOHN W. FLANNAGAN, Jr.
CLIFFORD R. HOPE,
STEPHEN PACE,
AUG. H. ANDRESEN,
ORVILLE ZIMMERMAN,
HAROLD COOLEY,

Managers on the Part of the House.

Mr. RUSSELL. Mr. President, I ask unanimous consent for the immediate consideration of the report.

Mr. WHITE. Mr. President, is it a unanimous report, signed by all the conferees?

Mr. RUSSELL. It is a unanimous report and is signed by all the conferees on the part of both Houses.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. RUSSELL. Mr. President, I move the adoption of the report.

The report was agreed to.

MEDIATION OF LABOR DISPUTES

The Senate resumed consideration of the bill (H. R. 4908) to provide additional facilities for the mediation of labor disputes, and for other purposes.

Mr. TAYLOR. Mr. President, on yesterday I had a prepared statement which I intended to present, but in the excitement last evening it became lost in the shuffle; and the hour was so late that I decided to let it go until today. At this time I should like to proceed with it.

Mr. President, no vote that I have cast this session gives me greater satisfaction and pride in retrospect than my negative vote on the Lea bill, the so-called anti-Petrillo bill. On the final vote, you will recall, only three Members voted against the bill, the Senator from Vermont [Mr. AIKEN], the Senator from Washington [Mr. MITCHELL], and I. I debated the bill for 4 hours with the Senator from Colorado [Mr. JOHNSON], and I tried to convince my colleagues that the bill was unconstitutional, unworkable, and badly drafted. I consulted in advance with several students of labor and radio problems. All of them told me that the bill was clearly unconstitutional; but, as friends, they advised me not to take up the fight. "Petrillo," they assured me, "is the most unpopular man in the country today, and if you do not join the pack and bark at him, you will miss a chance for acclaim from press and radio. Since the bill is obviously invalid, you might just as well vote for it and leave it to the courts to throw it out." I did not heed that warning, much as I appreciated the kind spirit that prompted it. I do not think that Congress should legislate for the headlines, or reflect the passions of the moment. I do not think we should enact unconstitutional legislation, and rely upon the courts to mop up after us. Upon Congress, as well as upon the judiciary, rests the obligation of protecting the Constitution.

One of my chief concerns in the fight over that bill was for the acting profession and for all those who earn their livelihood in the radio business as actors and singers—I myself having formerly been in that occupation. The Lea bill, if enforced, could do much harm to radio actors; yet their union has been accused of no abuses, and their employment relations have been happy.

This week I had the satisfaction of learning that the radio industry, which espoused and promoted the Lea bill, has begun to realize that, in so doing, it has very definitely "laid an egg" to use one of its own expressions. Tide magazine is a trade paper which speaks for the top crust of the advertising business, which produces practically all of the major network broadcasts. In its May 17 issue, it devotes its leading article to an analysis of the Lea Act and a consensus of opinions of the advertising agencies' lawyers and executives.

Their verdict on the bill does not agree with the majority of the Senate, which thought it was conferring so great a boon on the radio business, but with these experts in the radio business, the three lonesome dissenters. They call the bill a legislative boomerang. Their judgment is based entirely upon self-interest,

but it is cool, rather than hysterical self-interest. On reading it, I made a silent wish which I have made many times in the past. I wished that when business leaders have problems which require our attention, they would come to Washington and talk them over with us in person, rather than entrust them to trade associations and lobbyists, who seldom, if ever, exemplify the best or the most authoritative thinking of the industry which they profess to represent. Pressure boys thrive on conflict, rather than on solutions. We have seen this illustrated on many occasions. On the OPA issue, for example, the retail dry goods lobby has been repudiated by most of the large department stores in the country. Advice, consultation, and exchange of views is always helpful to everyone, but pressure campaigns delude both the pusher and the pushed.

The article in Tide is worth reading. It would be well for all of us now to think back to the failure of the anti-Petrillo bill. For we are again being asked to legislate on labor problems in white heat, when passions are high, and when each day's reflection and deliberation is the occasion for whiplash headlines about delay and procrastination. Let us not cook another indigestible hasty pudding.

Mr. President, I ask unanimous consent that the entire article to which I have referred from Tide magazine be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LEA ACT—LEGISLATIVE BOOMERANG?—AN EXAMINATION OF THE ANTI-PETRILLO LAW, WHICH INDICATES THAT IT MAY NOT WORK AT ALL AND MAY BACKFIRE ON THE BROADCASTERS, IF NOT ON THE ADVERTISERS

When Congress passed, and the President signed, the Lea bill last month, they ostensibly sought to get James Caesar Petrillo and bounce his American Federation of Musicians out of one of the deepest, softest feather beds in United States industry. However, competent radio attorneys who have studied the law say that Congress failed on both counts. If not unconstitutional (in violation of the thirteenth, antislavery, amendment), the law, they claim, contains a loophole large enough for Petrillo to drive a brass band through. And there are enough smaller loopholes to make the act appear utterly useless from anyone's standpoint.

The Lea Act was designed, as its proponents announced, to keep Petrillo's union from doing certain specific things for which it is famous. The act makes it a misdemeanor (punishable by a year in jail and/or a \$1,000 fine) to "coerce, compel, or constrain" a broadcast licensee:

To hire more employees than he needs to perform actual services.

To pay fees because he fails to employ persons he doesn't need (as when musicians get double fees if one program is broadcast over both an AM and an FM station).

To pay more than once for services performed in broadcasting (as in the case of extra fees for transcribed rebroadcasts).

To pay standby fees.

To refuse to carry noncommercial educational broadcasts (as in the famous case of the Interlochen, Mich., Music Camp which Petrillo kept off the air).

To refuse to carry programs originating overseas.

To pay royalties in connection with making transcriptions.

IMMEDIATE RELEASE

JUNE 4, 1946

STATEMENT BY THE PRESIDENT

Today, as I sign the National School Lunch Act, I feel that the Congress has acted with great wisdom in providing the basis for strengthening the nation through better nutrition for our school children. In my message to Congress last January, I pointed out that we have the technical knowledge to provide plenty of good food for every man, woman, and child in this country, but that despite our capacity to produce food we have often failed to distribute it as well as we should. This action by the Congress represents a basic forward step toward correcting that failure.

In the long view, no nation is any healthier than its children or more prosperous than its farmers; and in the National School Lunch Act, the Congress has contributed immeasurably both to the welfare of our farmers and the health of our children.

Under previous school lunch programs made possible by year-to-year authorizations we have been able to provide as many as six million children with nutritious lunches at noon. This has laid a good foundation for the permanent program. In the future, increasing numbers will benefit -- and on a permanent basis.

I hope that all State and local authorities will cooperate fully with the United States Department of Agriculture in establishing the cooperative school lunch in every possible community.

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[PUBLIC LAW 396—79TH CONGRESS]

[CHAPTER 281—2D SESSION]

[H. R. 3370]

AN ACT

To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National School Lunch Act".

DECLARATION OF POLICY

SEC. 2. It is hereby declared to be the policy of Congress, as a measure of national security, to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the States, through grants-in-aid and other means, in providing an adequate supply of foods and other facilities for the establishment, maintenance, operation, and expansion of nonprofit school-lunch programs.

APPROPRIATIONS AUTHORIZED

SEC. 3. For each fiscal year, beginning with the fiscal year ending June 30, 1947, there is hereby authorized to be appropriated, out of money in the Treasury not otherwise appropriated, such sums as may be necessary to enable the Secretary of Agriculture (hereinafter referred to as "the Secretary") to carry out the provisions of this Act.

APPORTIONMENTS TO STATES

SEC. 4. The sums appropriated for any fiscal year pursuant to the authorization contained in section 3 of this Act, excluding the sum specified in section 5, shall be available to the Secretary for supplying, during such fiscal year, agricultural commodities and other foods for the school-lunch program in accordance with the provisions of this Act. The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the aforesaid funds made available for such year for supplying agricultural commodities and other foods under the provisions of this Act, except that the total of such apportionments of funds for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for agricultural commodities and other foods for the school-lunch program. Apportionment among the States shall be made on the basis of two factors: (1) The number of school children in the State and (2) the need for assistance in the State as indicated by the relation of the per capita income in the United States to the per capita income in the State. The amount of the initial apportionment to any State shall be determined by the following method: First, determine an index for the State by multi-

plying factors (1) and (2); second, divide this index by the sum of the indices for all the States; and, finally, apply the figure thus obtained to the total funds to be apportioned. For the purpose of this section, the number of school children in the State shall be the number of children therein between the ages of five and seventeen, inclusive; such figures and per capita income figures shall be the latest figures certified by the Department of Commerce. For the purposes of this Act, "school" means any public or nonprofit private school of high-school grade or under and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico. If any State cannot utilize all funds so apportioned to it, or if additional funds are available under this Act for apportionment among the States, the Secretary shall make further apportionments to the remaining States in the same manner.

SEC. 5. Of the sums appropriated for any fiscal year pursuant to the authorization contained in section 3 of this Act, \$10,000,000 shall be available to the Secretary for the purpose of providing, during such fiscal year, nonfood assistance for the school-lunch program pursuant to the provisions of this Act. The Secretary shall apportion among the States during each fiscal year the aforesaid sum of \$10,000,000, and such apportionment among the States shall be on the basis of the factors, and in accordance with the standards, set forth in section 4 with respect to the apportionment for agricultural commodities and other foods. The total of such funds apportioned for nonfood assistance for use in Alaska, Territory of Hawaii, Puerto Rico, and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for nonfood assistance in accordance with the provisions of this Act.

DIRECT FEDERAL EXPENDITURES

SEC. 6. The funds appropriated for any fiscal year for carrying out the provisions of this Act, less not to exceed $3\frac{1}{2}$ per centum thereof hereby made available to the Secretary for his administrative expenses and less the amount apportioned by him pursuant to sections 4, 5, and 10, shall be available to the Secretary during such year for direct expenditure by him for agricultural commodities and other foods to be distributed among the States and schools participating in the school-lunch program under this Act in accordance with the needs as determined by the local school authorities. The provisions of law contained in the proviso of the Act of June 28, 1937 (50 Stat. 323), facilitating operations with respect to the purchase and disposition of surplus agricultural commodities under section 32 of the Act approved August 24, 1935 (49 Stat. 774), as amended, shall, to the extent not inconsistent with the provisions of this Act, also be applicable to expenditures of funds by the Secretary under this Act.

PAYMENTS TO STATES

SEC. 7. Funds apportioned to any State pursuant to section 4 or 5 during any fiscal year shall be available for payment to such State for disbursement by the State educational agency, in accordance with such agreements not inconsistent with the provisions of this Act, as may be entered into by the Secretary and such State educational

agency, for the purpose of assisting schools of that State during such fiscal year, in supplying (1) agricultural commodities and other foods for consumption by children and (2) nonfood assistance in furtherance of the school-lunch program authorized under this Act. Such payments to any State in any fiscal year during the period 1947 to 1950, inclusive, shall be made upon condition that each dollar thereof will be matched during such year by \$1 from sources within the State determined by the Secretary to have been expended in connection with the school-lunch program under this Act. Such payments in any fiscal year during the period 1951 to 1955, inclusive, shall be made upon condition that each dollar thereof will be so matched by one and one-half dollars; and for any fiscal year thereafter, such payments shall be made upon condition that each dollar will be so matched by \$3. In the case of any State whose per capita income is less than the per capita income of the United States, the matching required for any fiscal year shall be decreased by the percentage which the State per capita income is below the per capita income of the United States. For the purpose of determining whether the matching requirements of this section and section 10, respectively, have been met, the reasonable value of donated services, supplies, facilities, and equipment as certified, respectively, by the State educational agency and in case of schools receiving funds pursuant to section 10, by such schools (but not the cost or value of land, of the acquisition, construction, or alteration of buildings of commodities donated by the Secretary, or of Federal contributions), may be regarded as funds from sources within the State expended in connection with the school-lunch program. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this section and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

STATE DISBURSEMENT TO SCHOOLS

SEC. 8. Funds paid to any State during any fiscal year pursuant to section 4 or 5 shall be disbursed by the State educational agency, in accordance with such agreements approved by the Secretary as may be entered into by such State agency and the schools in the State, to those schools in the State which the State educational agency, taking into account need and attendance, determines are eligible to participate in the school-lunch program. Such disbursement to any school shall be made only for the purpose of reimbursing it for the cost of obtaining agricultural commodities and other foods for consumption by children in the school-lunch program and nonfood assistance in connection with such program. Such food costs may include, in addition to the purchase price of agricultural commodities and other foods, the cost of processing, distributing, transporting, storing, or handling thereof. In no event shall such disbursement for food to any school for any fiscal year exceed an amount determined by multiplying the number of lunches served in the school in the school-lunch program under this Act during such year by the maximum Federal food-cost contribution rate for the State, for the type of lunch served, as prescribed by the Secretary.

NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

SEC. 9. Lunches served by schools participating in the school-lunch program under this Act shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost or at a reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the lunch. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay. School-lunch programs under this Act shall be operated on a nonprofit basis. Each school shall, insofar as practicable, utilize in its lunch program commodities designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or commodities donated by the Secretary. Commodities purchased under the authority of section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in the school-lunch program under this Act as well as to other schools carrying out nonprofit school-lunch programs and institutions authorized to receive such commodities.

SEC. 10. If, in any State, the State educational agency is not permitted by law to disburse the funds paid to it under this Act to nonprofit private schools in the State, or is not permitted by law to match Federal funds made available for use by such nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under sections 4 and 5 of this Act the same proportion of the funds as the number of children between the ages of five and seventeen, inclusive, attending nonprofit private schools within the State is of the total number of persons of those ages within the State attending school. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within said State for the same purposes and subject to the same conditions as are authorized or required with respect to the disbursements to schools within the State by the State educational agency, including the requirement that any such payment or payments shall be matched, in the proportion specified in section 7 for such State, by funds from sources within the State expended by nonprofit private schools within the State participating in the school-lunch program under this Act. Such funds shall not be considered a part of the funds constituting the matching funds under the terms of section 7.

MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 11. (a) States, State educational agencies, and schools participating in the school-lunch program under this Act shall keep such accounts and records as may be necessary to enable the Secretary to determine whether the provisions of this Act are being complied with. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of five years, as the Secretary determines is necessary.

(b) The Secretary shall incorporate, in his agreements with the State educational agencies, the express requirements under this Act

with respect to the operation of the school-lunch program under this Act insofar as they may be applicable and such other provisions as in his opinion are reasonably necessary or appropriate to effectuate the purposes of this Act.

(c) In carrying out the provisions of this Act, neither the Secretary nor the State shall impose any requirement with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction in any school. If a State maintains separate schools for minority and for majority races, no funds made available pursuant to this Act shall be paid or disbursed to it unless a just and equitable distribution is made within the State, for the benefit of such minority races, of funds paid to it under this Act.

(d) For the purposes of this Act—

(1) "State" includes any of the forty-eight States and the District of Columbia, Territory of Hawaii, Puerto Rico, Alaska, and the Virgin Islands.

(2) "State educational agency" means, as the State legislature may determine, (a) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (b) a board of education controlling the State department of education; except that in the District of Columbia it shall mean the Board of Education, and except that for the period ending June 30, 1948, "State educational agency" may mean any agency or agencies within the State designated by the Governor to carry out the functions herein required of a State educational agency.

(3) "Nonprofit private school" means any private school exempt from income tax under section 101 (6) of the Internal Revenue Code, as amended.

(4) "Nonfood assistance" means equipment used on school premises in storing, preparing, or serving food for school children.

Approved June 4, 1946.



